

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 100 students Grade Nine standing of the Isaac Newton School under the direction of Mr. G. Litnak. This school is located in the constituency of the Honourable Member for Burrows, the Minister of Continuing Education and Manpower.

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

Presenting Petitions; Reading and Receiving Petitions; Presenting Reports by Standing and Special Committees.

### MINISTERIAL STATEMENTS AND TABLING OF REPORTS

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

**HONOURABLE LEONARD S. EVANS (Brandon East):** Mr. Speaker' I would like to table **The Annual Report of the Manitoba Housing and Renewal Corporation** for the year ending March 31st, 1976.

**MR. SPEAKER:** Any other tabling of reports? Notices of Motion. Introduction of Bills.

### ORAL QUESTIONS

**MR. SPEAKER:** The Honourable Leader of the Opposition.

**MR. STERLING R. LYON (Souris-Killarney):** Mr. Speaker, I have a question for the First Minister. Yesterday, I asked the First Minister about the policy of the government with respect to permitting Executive Assistants of Ministers to go into schools with NDP propaganda films. Is the Minister prepared to answer with respect to the policy of the government in that respect?

**MR. SPEAKER:** The Honourable First Minister.

**HONOURABLE EDWARD SCHREYER, Premier (Rossmere):** Mr. Speaker, as I indicated yesterday, there is only a difference of degree as between the Honourable Leader of the Opposition or I going in with respect of propaganda and, therefore, I do not see what the particular point is. If there is any substantive basis for believing that the material involved is different than would be involved if my honourable friend or I were going directly into any public speaking place, then there would be a problem.

**MR. LYON:** Well, Mr. Speaker, I wish to hand across to the First Minister a copy of a letter, a photocopy of a letter, dated the 25th of March 1977 . . .

**MR. SPEAKER:** Question, please.

**MR. LYON:** Well, I am getting to it, Mr. Speaker. A photocopy of a letter dated March 25th, 1977 from the office of the Honourable the Minister of Municipal Affairs and purporting to be signed by his Executive Assistant, Mr. Bill Aiken, which has apparently gone to schools within the constituency of the Minister of Municipal Affairs. I pass this copy to the . . .

**MR. SPEAKER:** Question please.

**MR. LYON:** . . . I pass this copy to the First Minister and ask him to comment upon the advisability of this kind of propaganda practice being carried out —(Interjection)— to comment upon whether or not his government supports this kind of propaganda practice?

**MR. SPEAKER:** Order please. Order please. Order please. Orders of the Day. The Honourable Member for Flin Flon.

**MR. THOMAS BARROW:** Mr. Speaker, I address this question to the Minister of Mines. Is there any truth to the rumour, are they valid, of the ore body that is supposed to have been found four miles from Flin Flon and, if so, does the government have any input into the exploration end?

**MR. SPEAKER:** The Honourable Minister of Mines.

**HONOURABLE SIDNEY GREEN (Inkster):** Mr. Speaker, I have always indicated that if there is ever any announcement with respect to mineral discoveries, they will be made by the people who have been responsible for the work in making the discovery, whether they be in the private sector or whether they be the moles that the Honourable Leader of the Opposition has said are not capable of finding anything. If there has been a discovery and it followed the enactment of our regulations in 1975, then it is very likely that there would be Crown participation in any such discovery.

**MR. SPEAKER:** The Honourable Member for River Heights.

**MR. SIDNEY SPIVAK:** Mr. Speaker, my question is to the Minister of Industry and Commerce, the Minister in charge of the Manitoba Housing Renewal Corporation. The cost of living index for Winnipeg and other cities has just been released and would now indicate that again housing in Winnipeg and housing in Manitoba is the highest in the country. This, I believe, is the fourth consecutive month. I wonder if he can indicate what action if any the government is undertaking to

try and relieve this increased cost of living in this province.

**MR. SPEAKER:** The Honourable Minister for Industry and Commerce.

**MR. EVANS:** Well, Mr. Speaker, I haven't seen the figures the Minister refers to. If they are correct I'm not sure to what extent a provincial government can do that much. I'm talking about material costs, materials, a great deal of which are made or manufactured outside of the Province of Manitoba. The fact is we have the phenomenon of inflation at work and unfortunately the City of Winnipeg is not excluded from that particular phenomenon.

The government is concerned about the costs of servicing land in the City of Winnipeg, and as has been indicated, Mr. Speaker, we are endeavouring to bring serviced lots on stream into the marketplace in the near future in the City of Winnipeg. Perhaps that will have some beneficial impact on lessening the inflationary trend, but only time will tell. I'm not suggesting it will, but it will certainly be a step in the right direction.

But the honourable member talks about material costs and so on, I'd like him to suggest to us exactly what a provincial government is supposed to do in that respect?

**MR. SPIVAK:** Mr. Speaker, to the same Minister. I wonder if he can indicate why the Manitoba Housing and Renewal Corporation Report was not submitted forthwith to the Legislature at the commencement of the Legislature?

**MR. EVANS:** Mr. Speaker, I only obtained it this morning and I understand the staff worked on it very hard and prepared it as expeditiously as possible.

**MR. SPIVAK:** I wonder how the Minister can indicate that answer when the Letter of Transmittal was January 25, 1977 . . . copy and it coincides with the time of his Estimates and the inability of this side to be able to prepare properly for the Estimates without this information.

**MR. EVANS:** Mr. Speaker, I repeat the printed copies were only delivered to my office a matter of hours ago, just a matter of hours ago and I believe the Corporation had only received them from the printer this morning. I believe that is the case, so you have been able to obtain it and have access to it in this form within hours of myself.

**MR. SPIVAK:** I wonder if the Minister could indicate when the copy was submitted to the printers.

**MR. EVANS:** I'm not aware, Mr. Speaker. I know the staff have been very concerned about getting it printed and available as soon as possible. They worked very hard and very long on this.

**MR. SPEAKER:** The Honourable Member for Radisson.

**MR. HARRY SHAFRANSKY:** Mr. Speaker, I have a question to the First Minister in his capacity as Minister reporting for Manitoba Hydro, and I would like to first of all indicate a notice that the critic for Manitoba Hydro for the Conservative Party is not here.

**MR. SPEAKER:** Question please.

**MR. SHAFRANSKY:** I would like to wish him well, having had a similar experience some time ago.

I would like to ask the First Minister if he has received any communication from the Conservative critic on Manitoba Hydro apologizing for the blatant lies made by the Leader of the Opposition, namely the waste of some \$605 million of taxpayers' money by Manitoba Hydro.

**MR. SPEAKER:** The Honourable Leader of the Opposition.

**MR. LYON:** I rise on a point of order.

**A MEMBER:** What do you know about points of order?

**MR. LYON:** I notice that we have a few expended volcanoes on the other side that emit a bit of chaff now and then.

Mr. Speaker, on the point of order, there was an unparliamentary word used. Ordinarily members of the House pay no attention to what is said by the Member from Radisson. I want to assure you, Mr. Speaker, that the same feeling obtains today, but an unparliamentary word was used by the member. I draw it to your attention, Sir, for the usual treatment by the Chair.

**MR. SPEAKER:** The Honourable Member for Radisson.

**MR. SHAFRANSKY:** Mr. Speaker, I will withdraw that word and just indicate that he is a stranger to the truth. But the word he used to me, I never asked him because I don't expect anything else but the fact that he is a stranger to the truth.

While I am up, Mr. Speaker, . . .

**MR. SPEAKER:** Order please. Order please. We have completed the point of order. The Honourable Member have another question?

**MR. SHAFRANSKY:** Yes, Mr. Speaker. This morning I would like to indicate that I erred in a particular ruling on a motion made by the Leader of the Opposition and I would like to quote Beauchesne, and this is on Page 58. "The Speaker exceeds his authority if, without having been specially instructed by the House, he takes upon himself to alter any of his rulings which, once given, are under the exclusive control of the House. There is no precedent to show that the Speaker of the United Kingdom House, who is vested with great powers, and whose decisions are not subject to appeal, has ever reversed his own ruling. We have had different experiences in Canada. On March 26, 1916, the Speaker ruled that an amendment having been voted in the affirmative there was no need of putting the question on the main motion as amended. He was told at the next sitting that his ruling

was not in conformity with parliamentary practice. Having thus been advised from the floor of the House, he reversed his ruling. In this case, the House took the initiative in the procedure required for correcting an erroneous decision. On February 1st, 1912, the Speaker ruled that a Motion regarding the placing of telephones in rural post offices was out of order on the principle that it appeared to involve a charge upon the revenue. The following day he stated that upon more careful and mature consideration, he was quite sure the ruling would not be held to be well founded and he said it would be in order if the member who had that Motion in charge to move, to have it re-instated on the Order Paper as otherwise it would be dropped."

Now, Mr. Speaker, the Leader of the Official Opposition made a Motion to have Mr. Spafford appear before the committee. I ruled that it was out of order. I find that I was incorrect and that the Honourable Leader will have the opportunity to make his Motion at the next sitting of the committee.

**MR. SPEAKER:** The Honourable Member for Wolseley.

**MR. ROBERT G. WILSON:** I have a question, Mr. Speaker, to the Minister of Corrections. Can the Minister confirm that in the last twelve months that two residents of half-way houses have been charged with murder and attempted murder in Winnipeg?

**MR. SPEAKER:** The Honourable Minister of Corrections.

**HONOURABLE J. R. (Bud) BOYCE (Winnipeg Centre):** Mr. Speaker, I am fully apprised of the situation to which the member refers and the answer to his question is yes.

**MR. WILSON:** A supplementary, Mr. Speaker. What guarantee of proper supervision do we have in Wolseley and other areas that alcohol abuse will not continue on Sherburn Street and Palmerston to ensure the safety of our women and elderly people who have rights as well?

**MR. BOYCE:** I am sorry, Mr. Speaker, but I can give no other assurance to the people in the constituency than I can give that some bailiffs will exercise proper constraint on exercising what is supposed to be their responsibility.

**MR. SPEAKER:** The Honourable Member for Flin Flon.

**MR. BARROW:** Mr. Speaker, I direct this question to the Minister of Public Works. I understand there is a new government building going into the Flin Flon area and my question is, when will we start construction, and have you arranged a site for such a building?

**MR. SPEAKER:** The Honourable Minister of Public Works.

**HONOURABLE RUSSELL DOERN (Elmwood):** Mr. Speaker, a proposal for a provincial government building in Flin Flon is under consideration but I cannot provide any details as to site or timing at this point in time.

**MR. SPEAKER:** The Honourable Member for Roblin.

**MR. J. WALLY McKENZIE:** Mr. Speaker, it is very interesting to see the NDP hold their caucus meeting in the Legislature. Mr. Speaker, I have a question for the Honourable Minister of Highways who is not in his chair and I will therefore, direct it to the Acting Minister of Highways, Mr. Speaker. The question is, Mr. Speaker, I wonder if the Acting Minister of Highways can advise the House if the Department of Highways or the Minister has received a petition from the residents of the Ebb and Flow area re the deplorable conditions that presently exist on public road No. 278?

The second question will be, Mr. Speaker, I wonder can the Minister advise the House, or the Department, if they have acknowledged receipt of that petition from the residents of Ebb and Flow?

The third question I would ask, Mr. Speaker, of the Minister of the Department, would he advise the House if this public road No. 278 can be brought to a standard to meet the needs of the Ebb and Flow community and the outlying area?

**MR. SPEAKER:** The Honourable First Minister.

**MR. SCHREYER:** Mr. Speaker, the specifics with respect to the condition of PR 278 will be checked. Naturally we will try to bring the surplus condition of the road up to the best possible standards commensurate with available funds and utilization, and I should think, Sir, that it should not be too much of a challenge to bring it up to the standards that prevailed when my honourable friend had some say about it.

**MR. McKENZIE:** Mr. Speaker, I thank the First Minister for those kind comments. I will send the word out to the people of Ebb and Flow the road will be taken care of.

**MR. SCHREYER:** So will I, Sir, with respect to their memory of what the condition was when my honourable friend had something to say about it.

**MR. SPEAKER:** The Honourable Leader of the Opposition.

**MR. LYON:** Mr. Speaker, I have a question for the Honourable the Minister of Municipal Affairs. Can he confirm that the letter, a copy of which was sent across to the Premier this afternoon, dated March 25, 1977, did go forward from his office, from his Executive Assistant in the terms as shown on the letter' and if so, how many letters of this nature were sent out?

**MR. SPEAKER:** The Honourable First Minister.

**MR. SCHREYER:** Mr. Speaker, having had an opportunity to peruse the letter, I find as I suspected, that it has to do with an offer to speak to school classes with the assistance of visual aids or slides, and that reference in the letter is, that in the event that the Minister is not available, he would

be able to do so. So it does differ only in degree from a circumstance in which a Minister or any member of this Assembly does in fact address a school class.

**MR. LYON:** Mr. Speaker, my question to the Minister of Municipal Affairs still stands; would he please answer it?

**MR. SCHREYER:** Mr. Speaker, I was asked a question, then I was forwarded a letter. I've perused the letter and I've just answered. If my honourable friend isn't satisfied with my answer, that's another matter, but I want to now put it clearly on the record that it is indeed only a difference in degree as to whether a Minister makes a speech or if he does so with the accompaniment of slides, or if he has someone on his behalf do so, with the accompaniment of slides.

**MR. LYON:** Mr. Speaker, my question to the Minister of Municipal Affairs still stands. Did this letter go forward from his office, and how many copies were sent out?

**A MEMBER:** The answer was given by the First Minister.

**MR. LYON:** No it wasn't. Can the Minister not answer for himself any more?

**MR. SPEAKER:** Order please. The Honourable First Minister.

**MR. SCHREYER:** Mr. Speaker, I have no problem with each and every one of my colleagues answering. I assume that the Minister of Municipal Affairs will answer in a matter of moments. I have no problem with respect to the conduct and deportment of my colleagues and I, Sir, do not manipulate behind the scenes.

**MR. SPEAKER:** The Honourable Minister for Municipal Affairs.

**HONOURABLE BILLIE URUSKI:** Mr. Speaker, I regret that I wasn't in the House yesterday. The matter that the Leader of the Opposition raises — there was a contact made with the superintendents of two school divisions and an offer made from my office, and the information given by the superintendents was that we should contact individual school teachers who teach public affairs if they desired such a program. As a matter of fact there has been a response to have this presentation shown in one of the schools. There has been an interest shown. And if the Leader of the Opposition feels that this in some way will propogandize the people of Manitoba, I think he belittles the integrity and the knowledge of the people of Manitoba.

**MR. SPEAKER:** The Honourable Leader of the Opposition.

**MR. LYON:** I wonder if the Minister, Mr. Speaker, could tell us how many of these letters were sent out from his office?

**MR. URUSKI:** Mr. Speaker, there are several high schools in my constituency. I would assume that teachers who conduct public affairs' programs and classes in their schools would have been contacted by the names of the superintendents of the school divisions presented us.

**MR. SPEAKER:** The Honourable Member for Point Douglas.

**MR. DONALD MALINOWSKI:** Thank you, Mr. Speaker. I rise on a point of privilege. I have here a copy of the Free Press dated April 15, in which it is reported that I am a Conservative MLA.

**MR. SPEAKER:** Order please. Order please.

**MR. MALINOWSKI:** Mr. Speaker, that report has caused me a very embarrassing weekend because of the many calls I received from both in and outside of my constituency. I simply wish to take this advantage and opportunity to draw attention to the inaccuracy of the Free Press from which my honourable friend, the Leader of the Opposition, gets his information about Manitoba Hydro.

**MR. SPEAKER:** The Honourable Member for Assiniboia.

**MR. STEVE PATRICK:** Mr. Speaker, I have a question for the Honourable Minister of Urban Affairs. Can the Minister indicate to the House if he has received or when will he receive the Bellan Report into the Land Inquiry Commission?

**MR. SPEAKER:** The Honourable Minister of Finance.

**HONOURABLE SAUL A. MILLER (Seven Oaks):** I haven't received it as I think I indicated about a week ago. As soon as I receive it, it will be made available. I am not sure, I believe it is sometime in June that it was indicated it might be available.

**MR. PATRICK:** A supplementary, Mr. Speaker. Can the Minister indicate to the House if the Bellan Inquiry Commission is working under a certain budget or if they have no budget, and can he also indicate what is the total staff?

**MR. MILLER:** Well, as far as staff is concerned, I will have to take that as notice. I don't know. As far as a budget, yes there is a general budget, but depending on the length of time it takes, of course, that may be more or less. I haven't got the figure available.

**MR. SPEAKER:** The Honourable Member for La Verendrye.

**MR. BOB BANMAN:** Thank you, Mr. Speaker. I direct my question to the Minister of Industry and Commerce and would ask the Minister if he could inform the House whether the position of director of Projects Development Branch in his department was bulletined for in the normal manner?

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

**MR. EVANS:** Well, I will have to inquire, Mr. Speaker. I will look into the matter.

**MR. BANMAN:** I wonder if the Minister could also check to see if there was any competition allowed for that position.

**MR. EVANS:** If it was bulletined in the normal manner, there would be a normal civil service competition. As I indicated last night during your Estimates, Mr. Speaker, a number of the positions in the department are filled by contract and that is by definite policy because of the nature of the work involved and we find that that is a very useful technique for some of the positions in the department. I am not aware of this particular one that the member is referring to so I will look into it.

**MR. BANMAN:** I would like the Minister to confirm that this appointment was made by Order-In-Council on April 13th.

**MR. EVANS:** Again, I will have to check to ensure that we are talking about the same position. But if the honourable member is referring to a position that was approved by OC, this is because it was a senior officer position and all senior officer positions have to be approved by OC. I believe that person was promoted within the department and has been a long-term employee of the department.

**MR. SPEAKER:** The Honourable Member for Brandon West.

**MR. EDWARD MCGILL:** Mr. Speaker, my question is for the Honourable the Minister of Continuing Education with respect to his announcement of the appointment of a new head for the Youth Secretariat. Could he tell the House if that position was bulletined in the normal manner?

**MR. SPEAKER:** The Honourable Minister of Continuing Education.

**HONOURABLE BEN HANUSCHAK (Burrows):** Mr. Speaker, the incumbent of this position had been serving as an acting-director of Youth Secretariat for the past year. Prior to that, he was the assistant director of the branch and so this was merely a promotion in the normal course of events.

**MR. MCGILL:** Mr. Speaker, to the same Minister. Was a civil service examination and competition held for the position?

**MR. HANUSCHAK:** I will check, Mr. Speaker.

**MR. MCGILL:** Mr. Speaker, I wonder if the Minister would confirm that this appointment was made by Order-In-Council No. 412 of the 13th of April, 1977.

**MR. HANUSCHAK:** Mr. Speaker, if the honourable member checked the records of the Privy Council, if that is the number that the Order-In-Council bears, then I have no argument with it. So therefore I can neither confirm nor deny that is the number of the appointment and the appointment was at the senior officer level and hence it required Cabinet approval.

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

**MR. WALLY JOHANNSON:** Mr. Speaker, I have a question for the Minister of Education. Is the Minister prepared to investigate the distribution of hard-core pornography, pardon me, propaganda, and the political indoctrination activities being carried on by an organization called Junior Achievement within the Winnipeg schools since the early 1960s?

**MR. SPEAKER:** Order please. The Honourable Minister of Education.

**HONOURABLE IAN TURNBULL (Osborne):** Mr. Speaker, I believe that teachers in schools and the people responsible for the administration of schools are adult enough to know what kinds of programs and what kinds of information they want to see disseminated in the schools. I believe that Junior Achievement, sponsored by various business organizations, is one form of such propaganda and indeed there may be other kinds of information or propaganda that is disseminated in schools in various forms. I believe that students being exposed to this kind of information are likely on graduation better able to make decisions with regard to their economic well-being or their political electoral decisions at election time.

**MR. SPEAKER:** The Honourable Member for Fort Rouge.

**MR. LLOYD AXWORTHY:** Mr. Speaker, I have a question for the Minister of Education. I wonder if the Minister can explain to the House what was the basis for his deciding to release a position paper concerning the teaching of French language schools prior to a meeting with parents and organizations that were involved in the subject and wanted to ask for some revision or reassessment of that program? Can he tell us the reason for the release prior to that meeting?

**MR. TURNBULL:** Mr. Speaker, the Member for Fort Rouge appears to be confused between the program which is under way in various schools and is the responsibility of schools in which the Department of Education will not intercede, and the position paper that the Department of Education, under my auspices, issued last week. The position paper is one that I have been asked for by representatives of the French community for some months and it was my understanding that this paper would be the basis for a meeting that was scheduled between representatives of the various Francophone groups in Manitoba, the Premier, the Minister of Health myself and some other representatives of the government. The paper was released because I had been asked to release it by the various groups who, once they got it, felt they didn't want to discuss it.

**MR. AXWORTHY:** Mr. Speaker, to the same Minister. Can he indicate whether he was in contact or in any consultation with those organizations prior to the release to determine whether they felt that the position paper should be released at that time, or did they prefer to have it discussed or examined during the meetings that were scheduled between themselves and the Premier and the Minister of Health?

**MR. TURNBULL:** Mr. Speaker, the position paper is no more really than a reiteration of what is already the case. The position paper, I think, could quite easily be interpreted as a status quo document, and therefore it did not seem particularly necessary as it was a restatement, as much as it was an elaboration of existing policy to discuss it with the various groups who were to be represented at the meeting that was to be held last Friday.

**MR. AXWORTHY:** Supplementary, Mr. Speaker. Can the Minister then indicate if they have had any discussion or communication with those organizations to determine whether a new meeting will be rescheduled to discuss this position paper and any other matters relating to the teaching of French language in the schools.

**MR. TURNBULL:** Mr. Speaker, since I became Minister last September 22nd, I have met with representatives of these various organizations on several occasions and I would expect that at their request I would be willing to meet with them in my office or the Office of the Premier at any time. Indeed a good part of my working day is taken up with meetings with various groups interested in this and a variety of other programs related to education.

**MR. SPEAKER:** The Honourable Member for Fort Rouge, final supplement.

**MR. AXWORTHY:** Thank you, Mr. Speaker. Then I would just ask the Minister, considering that there appears to be a misunderstanding about the release of the position paper and the intention of the government in so releasing it, will the Minister make any effort to communicate with those groups that are concerned about the matter and invite them to meet with him to discuss it rather than just simply leaving it as an open invitation?

**MR. TURNBULL:** Mr. Speaker, I am quite happy to meet with representatives of this group at any time they wish. I believe, though, the initiative is theirs. The meeting was established as a result of a demonstration that they organized. Between the time of the demonstration and the time of the scheduled meeting last Friday, I did meet with some of these representatives. I believe that as they have cancelled the meeting without any notice formally to me, that the initiative for future meetings is in their hands.

**MR. SPEAKER:** The Honourable Leader of the Opposition.

**MR. LYON:** Mr. Speaker, a question for the Honourable the First Minister. Could the First Minister advise the House whether, now being seized of the information about Executive Assistants and movies or slide projections in schools, whether he will permit that policy to continue or not?

**MR. SCHREYER:** Mr. Speaker, I'm prepared to review the matter in its global context and by that I mean that if it is indeed the case, which I believe it to be, that not only I but other honourable gentlemen, including honourable gentlemen opposite do receive and accept from time to time, invitations to address school groups, then any Minister is free to do likewise, and any Minister is free to do likewise using slides and it follows then by delegation he is free to do so using slides and having someone stand in as his representative.

**MR. LYON:** Mr. Speaker, on the point that was raised by the First Minister. Does the First Minister not distinguish between an Executive Assistant saying that he will show the slides and that the Minister may also come along, and the Minister taking the initiative. Does the First Minister approve of paid political representatives of his government taking the initiative to go in and to politicize school children in Manitoba?

**MR. SCHREYER:** Mr. Speaker, it seems to me that it is a principle of delegation that is involved here. If an honourable gentleman of this Chamber, be he a Minister of the Crown or not, is in a position to accept an invitation or to carry out an undertaking to address a school class, then whether it is done by that person or someone directly delegated by him or her, I really do not see a great distinction to be drawn.

**MR. LYON:** Mr. Speaker, to clear the point which perhaps escapes the First Minister, would he not agree that these words are self-explanatory, "If you would prefer Mr. Uruski, your MLA, has indicated that he would also be delighted to make the presentation." Who is delegating to whom, Mr. Speaker?

**MR. SCHREYER:** Well, Mr. Speaker, not to be unkind, I would say to my honourable friend that I really believe that he well understands that anything that an Executive Assistant writes is by delegation of his employing Minister.

**MR. SPEAKER:** The Honourable Member for Lakeside.

**MR. HARRY J. ENNS:** Mr. Speaker, would the First Minister also concur that Opposition Members do not have the use of government stationery, nor do they work from government paid-for offices, nor do they send it out with government postage.

**MR. SPEAKER:** The Honourable First Minister.

**MR. SCHREYER:** The Honourable Member for Lakeside having asked the question, I would simply answer by pointing out that he and all other members of this are in receipt of Legislative Assembly stationery. They do have caucus stenographic assistance, and I believe since this government has been in office, there has been a significant increase in the availability of caucus research funds to cover that kind of thing and more.

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

**MR. JOHANNSON:** Yes, Mr. Speaker, I have another question for the Minister of Education. Does the Minister of Education approve of the distribution of pro apartheid literature by a Conservative Member of Parliament in the high schools of this province?

**MR. SPEAKER:** The Honourable Minister of Education.

**MR. TURNBULL:** Mr. Speaker, the distribution of racist literature by Conservative Party Members I regard as a matter of their conscience. I would not distribute such literature to children under my care and I certainly would not tolerate it if I was a parent of such children. However, Mr. Speaker, I think we have to recognize that if our children are to graduate from the schools with some understanding of the world community, that perhaps it is useful to read racist literature from South Africa, distributed by Mr. Epp, the Member of Parliament representing the Conservative Party, and that literature read in conjunction with literature which attempts to give a more balanced view of what is going on in South Africa or other parts of the world with relationship to various problems is useful for children in learning about the world and in learning how to make judgments about international situations and other matters.

**A MEMBER:** Hear, hear.

**MR. SPEAKER:** The Honourable Leader of the Opposition.

**MR. LYON:** Mr. Speaker, in light of the Minister of Education's response, could he advise the House if he has authorized through his department, his own political party to engage in other propaganda activities in the schools of Manitoba of which we're not aware?

**MR. SPEAKER:** The Minister for Education.

**MR. TURNBULL:** Mr. Speaker, I have not authorized the department to distribute political literature, that I think could be called that, nor have I authorized them to distribute racist literature from South Africa, nor have I asked them to distribute slides of the NDP or the PCP or the Liberal Party or the Social Credit Party for that matter.

However, I think that a mix of information in the classroom, when you're dealing with students who are reaching the age of maturity, is a useful teaching technique and I would not, Sir, as is implied by the Leader of the Opposition, want to engage in censorship of material that is distributed in the school if that material is legally acceptable in the courts.

**MR. LYON:** Is the Minister of Education then saying, Sir, that he condones the practice of his colleague, the Minister of Municipal Affairs, in having his Executive Assistant show NDP propaganda films in the schools of Manitoba?

**MR. TURNBULL:** Mr. Speaker, I believe that the question of delegation is a matter for individual ministers to deal with. I believe that whether the Leader of the Opposition speaks in schools in Fort Garry is a matter for the school trustees there and the school principals and teachers there to agree to. I happen to find it somewhat reprehensible that he is in the schools there talking to students about the particular propaganda that his party would like to disseminate.

**MR. SPEAKER:** The Honourable Member for Radisson.

**MR. SHAFRANSKY:** Mr. Speaker, I have a question to the First Minister. In view of the questions put forth by the Leader of the Official Opposition with regard to the film strips produced by the NDP caucus, would he extend an invitation to the Leader of the Opposition to attend the Radisson nominating meeting at which the First Minister is going to be a guest speaker and also we will have those slides so he can have the first opportunity to see how a democratic process operates.

**MR. SPEAKER:** The Honourable Minister of Agriculture.

**HONOURABLE SAMUEL USKIW (Lac du Bonnet):** Mr. Speaker, some days ago, members of the opposition had posed a number of questions with respect to the use of an allegedly new chemical for the control of Dutch elm disease. I simply want to advise members that we have done some research into the subject matter and would like to advise all people to be, again, extremely cautious in the use of any chemical and in particular as to their expectations of the results in that the information we have is that there is nothing new on the market. It is basically a formulation of a similar chemical that has been used for a long period of time and there are no guarantees as to the success of the eradication of Dutch elm disease or its control through the use of either chemical on the market. So one has to use these chemicals with a great degree of caution.

It is also pointed out that the costs range from \$80 for an annual application to up to \$300 for an application involving a bi-annual application.

We are continuing to do tests in the Selkirk area, in a number of areas of the province, and hope to give some additional information some time in the future. But there is no conclusive evidence that any chemical that is now available will eradicate the disease and therefore the consuming public should act accordingly.

Mr. Speaker, I also want to respond to a number of questions put to me by the Member for Lakeside, not only questions but indeed, Mr. Speaker, the member took advantage of the House in issuing a statement to the effect that someone was losing money whether it's the taxpayer or the pork producers through the contract with Japan for the sale of Manitoba hogs, over the last three or four years. And he did so on receipt of the Annual Report of the Manitoba Hog Producers Marketing

Board which was distributed at that time. Without spending too much time in analyzing that report, he made those statements, Mr. Speaker, which is quite typical of my honourable friend, the Member for Lakeside.

I would like to advise him that if he looks at that report again he will find that the deficit on the Dressed Pork Division has nothing to do with the Japanese pork contract whatever, but rather another arrangement where the Hog Marketing Board has involved itself in custom slaughtering and the sale of pork cuts to places like California, the United Kingdom, Vancouver, New York and Japan, but above and beyond the contract referred to. So that accounts for that particular deficit.

I am advised by the Manager of the Marketing Board today that they are realizing a higher price for pork exported to Japan at this point in time pursuant to the formula contract entered into three years ago, higher than the domestic price here in Manitoba.

So I simply want to correct the Member for Lakeside and suggest to him that it is not always possible to mislead the people of Manitoba.

**MR. SPEAKER:** The Honourable Member for Lakeside.

**MR. ENNS:** Mr. Speaker, I thank the Honourable Minister for that response to a belated question. My supplementary question to the Minister is would he not concur with me that it would be easier for the Member for Lakeside, and indeed others, if the reports stated the facts and one wouldn't have to guess at what arrangements and what prices pork is being sold.

My second supplementary question is, yes, now that pork prices are low, an average low for the last three or four years of some 48 cents, was that in fact the case when pork prices were retailing at 70 cents here in Manitoba?

**MR. SPEAKER:** The Honourable Minister for Agriculture.

**MR. USKIW:** Mr. Speaker, that was the precise nature of that contract and that was to allow, by way of formula, for averaging of prices so that when prices are low here they may be higher in the export field, or *vice versa*. In the long term, it's a stabilizing effect that is sought after by the producers.

**MR. SPEAKER:** The Honourable Member for Morris.

**MR. WARNER H. JORGENSEN:** I'd like to direct a question to the Minister of Agriculture and ask him would he not concur that the report of the Hog Marketing Board is incomplete unless it contains the details of all the pork that is sold, not just isolated instances?

**MR. SPEAKER:** The Honourable Minister.

**MR. USKIW:** Mr. Speaker, I draw attention to the fact that the Hog Marketing Board has an obligation, by contract, as to confidentiality of their particular arrangement for very obvious reasons; the reasons that they are in the business of competing with other jurisdictions, both at the producer level and at the processing level, and at the buying level. So in essence that kind of question is a lot of nonsense.

Secondly, Mr. Speaker, the Member for Morris knows full well that pork is not purchased at any given price per day by all buyers of pork in Manitoba or anywhere, but there may be ten different prices on a given day which are averaged out for the benefit of producers. So that in essence there is a difference in the prices that Canada Packers pays on the same day within any purchase on that day, and also differences between Canada Packers and Swifts and Burns and so on. So that is nothing different, Mr. Speaker. They all operate and function the same way.

**MR. JORGENSEN:** It just occurs to me, Mr. Speaker that the details of all pork sales could well be included in the . . .

**MR. SPEAKER:** Question, please.

**MR. JORGENSEN:** I'd like to direct my question to the Minister of Mines, Resources and Environmental Management and ask him if he now has the answer to the question that I posed last Tuesday. I'll refresh his memory on that question. When was the last time that officials of his department, or whatever department does the investigation, conducted mercury tests on fish coming into the province of Manitoba?

**MR. SPEAKER:** The Honourable Minister for Mines.

**MR. GREEN:** I thank the honourable member for reminding me of the question. I can tell him that my procedure is that the department gets it today and usually I have a response back earlier, so I'll try and trace down where the response is. I thank the honourable member for bringing it to my attention. I didn't see a response as of yesterday.

There was a question that the Member for Lakeside asked yesterday of the Minister for Renewable Resources, but I'll deal with him personally since he has left the House.

#### ORDERS OF THE DAY

**MR. SPEAKER:** Sorry, time's up. Orders of the Day. The Honourable Minister of Mines.

#### BUSINESS OF THE HOUSE

**MR. SPEAKER:** Honourable Leader of the Opposition.

**MR. LYON:** Could the House Leader advise what committee, if any, will be sitting on Thursday



next?

**MR. SPEAKER:** The Honourable Minister.

**MR. GREEN:** Mr. Speaker, I don't expect that there will be a committee meeting on Thursday but I expect that on Tuesday we will be going into Public Accounts, Tuesday at ten in the morning and then, I expect, we'll be meeting every Tuesday and Thursday although that's not a definite commitment. I am not able to have a return of the Hydro committee because of the commitments of the Chairman but we have other committees to deal with and I'll try to line them up now as quickly as I can.

**MR. LYON:** I take it the House Leader will advise us as soon as convenient as to when the Public Utilities Committee will reconvene discussing Manitoba Hydro.

**MR. GREEN:** I can tell my honourable friend that it might be some time and that we have given considerable time to Hydro, and that we will be dealing with some of the other matters that come before the committee first.

**MR. LYON:** For clarification again, Mr. Speaker. Can the Honourable the House Leader advise us what the procedure will be on Friday with respect to the Budget Speech. When will it be delivered?

**MR. GREEN:** Mr. Speaker, I discussed this with the Minister of Finance and, given my understanding of the rules, since the Budget takes precedence we can announce at 2:30 in the afternoon that the Budget Speech will be delivered.

### ADJOURNED DEBATES — SECOND READINGS

**MR. SPEAKER:** The Honourable House Leader.

**MR. GREEN:** Mr. Speaker, I wish now to proceed with the adjourned debates on second reading of the bills in the order in which they appear on the Order Paper.

**MR. SPEAKER:** Adjourned debates. Bill No. 5, the Honourable Member for Birtle-Russell.

**MR. HARRY E. GRAHAM:** Stand.

**MR. SPEAKER:** Bill No. 14, the Honourable Member for Wolseley.

**MR. WILSON:** Stand.

**MR. SPEAKER:** Bill No. 16, the Honourable Member for Gladstone.

**MR. JAMES R. FERGUSON:** Stand.

### BILL (NO. 22) — AN ACT TO AMEND THE PERSONAL PROPERTY SECURITY ACT AND CERTAIN OTHER ACTS RELATING TO PERSONAL PROPERTY

**MR. SPEAKER:** Bill No. 22, the Honourable Member for Fort Rouge.

**MR. AXWORTHY:** Mr. Speaker, on this particular bill, I provide an apology to the Attorney-General, who I expect would be anxious to get this legislation through, but it was a bill that I felt because of its detail, required some very careful attention. I apologize if it was an inconvenience. But not being trained in the matters of the specific law, it took a while to digest fully what might be the case. I should say that my interest was particularly aroused because of my own concern about the issue of filing of measures relating to the Land Titles Office on personal properties, and the kinds of disclosures and availability of information that there is concerning who holds land, who holds collateral on land and so forth, and I wanted to see if there is anything in this bill that would be pertinent to that concern which I think ultimately has to be done to take a basic re-examination of the whole system of filing of land titles and who has interest in the property and its titles.

**MR. SPEAKER:** Order please.

**MR. AXWORTHY:** But I would say that I will not pursue that matter, Mr. Speaker, at this time because it is not of germane interest to this bill. I wanted to see if any of the sections are related to the kind of entries that had to be filed with the Land Titles Office, if it would pertain to that question of the disclosure of who held interest in properties, and how far back they could be traced. I would only ask the Minister, perhaps he might think about that particular issue and relate it to us, although it is only a partial inclusion in this bill, that there is still I think a necessity to amend our reporting systems so that we'll have a much clearer definition as to the ownership and retention of property and therefore be able to make a much clearer judgment as to whose interests are involved.

On the bill itself, Mr. Speaker, I will only say that I, in talking with those who are in the legal profession and concerned about such matters, their primary comment is that the bill is just simply overdue and it could have been brought forward earlier. But I assume no criticism because I realized that these things take priority.

There are a couple of matters though that the Minister might want to take a look at. One is that there appears to be an omission in this particular set of amendments that relate to a section of the bill that talks about the transfer of collateral by a debtor, and that is, a problem arises when a debtor transfers and doesn't notify the transferee, it means that the third party — that a signature that must be required by that transferee — is not notified and the third party then really has a problem, because then they are forced into a position where they almost have to persuade or cajole the transferee to recognize their interest in the property. I think it's something that is not covered in these amendments according to the assessments that I received on it.

The other issue that has caused some small concern, but probably can be dealt with in Committee, is the issue of apparent hiatus between the passage of Bill 29 and April 1st deadline that are set to it. I think that has been brought to the Minister's attention. It may in fact be corrected in Committee when we can take a look at the starting dates of these bills and to bring it into line with the kind of notification that must be filed in the offices.

So, Mr. Speaker, I have no more comments than that to say that I was interested in the bill and had taken note of some of the aspects of it in relation to the procedures in the Land Titles Office, and may have an opportunity to say something further about that when we get into a debate in the Farm Allowance Bill.

**MR. SPEAKER:** The Honourable Attorney-General shall be closing debate. The Attorney-General.

**HONOURABLE HOWARD PAWLEY (Selkirk):** Mr. Speaker, I don't think that much comment is required from me at this stage in connection with this bill. I think it's more productive that we simply process the bill on its way to Committee, proceed with submissions and deal with specific questions in detail at that stage.

**QUESTION put, MOTION carried.**

**MR. SPEAKER:** Bill No. 28, the Honourable Member for Rhineland.

**MR. ARNOLD BROWN:** Stand, Mr. Speaker.

**MR. SPEAKER:** Bill No. 33, the Honourable Member for Minnedosa.

**MR. DAVID BLAKE:** Stand.

**MR. SPEAKER:** Bill No. 39, the Honourable Member for Gladstone.

**MR. FERGUSON:** Stand, Mr. Speaker.

**MR. SPEAKER:** Bill No. 44, the Honourable Member for Minnedosa.

**MR. BLAKE:** Stand.

#### **BILL (NO. 54) — AN ACT TO AMEND THE INTOXICATED PERSONS DETENTION ACT**

**MR. SPEAKER:** Bill No. 54, the Honourable Member for La Verendrye.

**MR. BANMAN:** Mr. Speaker, I held that bill for the Honourable Member for Swan River.

**MR. SPEAKER:** The Honourable Member for Swan River.

**MR. JAMES H. BILTON:** Mr. Speaker, I've read the current statute to which these amendments are intended to update, and we on this side feel that anything that has to be done, those affected by this alcoholic disease, will find no objection on this side of the House.

In the beginning, Mr. Speaker, in dealing with these amendments to The Intoxicated Persons Detention Act, I question a peace officer having the authority to take a person into custody without charge' because he is intoxicated. That struck me as something a little unusual. I would ask the Minister to take into consideration the removal of that sort of stigma. I would suggest to the Minister' if I may, Mr. Speaker, that the term that should be used is "protective custody" for the purpose of this Act. Without any further ado, Mr. Speaker, we would be very pleased to let this matter go to Committee, but again, I would appeal to the Minister to take this matter under consideration, to remove what I feel is somewhat a stigma.

**MR. SPEAKER:** The Honourable Minister for Corrections shall be closing debate. The Honourable Minister.

**MR. BOYCE:** Mr. Speaker, the Member for Swan River has raised a good point and perhaps we could consider this at Committee.

**QUESTION put, MOTION carried.**

**MR. SPEAKER:** Bill No. 56, the Honourable Leader of the Opposition.

**MR. LYON:** Stand.

#### **BILL (NO. 57) — AN ACT TO AMEND THE MANITOBA TELEPHONE ACT**

**MR. SPEAKER:** Bill No. 57, the Honourable Member for Fort Garry. The Honourable Member for Fort Rouge.

**MR. AXWORTHY:** Mr. Speaker, if the member has a stand, I wonder if I could have leave of the House to speak to it, as I may not be here . . .

**MR. SPEAKER:** Which bill?

**MR. AXWORTHY:** Bill No. 57, Mr. Speaker.

**MR. SPEAKER:** Very well. The Honourable Member for Fort Rouge.

**MR. AXWORTHY:** Thank you, Mr. Speaker. I appreciate the opportunity to speak. I wanted to make some comments on this bill because I think it's an important one and I'm not sure if in the next day or two I'll be available in the House to talk to it, so I thought that I would like to make a contribution at this time.

I do so for two reasons, Mr. Speaker. One goes back to the debate that we initiated with the

Minister during his Estimates concerning the activity and role of the Manitoba Telephone System and the real lack of any accountability for much of what it does. And I think that that is an issue that I want to come back to and examine with some depth because I think it certainly is evident in this bill that once again that the ability of the public regulatory authority, the Public Utilities Board is being by-passed in large part. But let me say first that I think one specific provision of this bill, Mr. Speaker, is illegal to the point where it is perhaps even unconstitutional. And I guess it would be really the basic principle that's embodied under Section 43 which I've heard referred to in some circles as the snitch portion of the bill, meaning that the government is now requiring suppliers of equipment to tell, inform if you like, about all the equipment that they sell and then must submit that kind of information to government. Mr. Speaker, that comes very close to the old adage of Big Brothers that we always have to be in some guard against. The government is now requiring any supplier or retailer — and I presume, Mr. Speaker, that that would include even people out of province who sell such matters or supply them through wholesale to a retail outlet — to so inform on any sale that they make in any of the electronic equipment that can be connected on the Manitoba Telephone System line. — (Interjection) —

**MR. SPEAKER:** The Honourable Minister of Co-operatives.

**MR. TOUPIN:** Mr. Speaker, how else could the Manitoba Telephone System or any other common carrier be able to keep a central registry and prevent damage to the carrier itself?

**MR. AXWORTHY:** Mr. Speaker, I think the Minister doesn't see the point I am making. My question is, granted that there may be some concern on the part of the Manitoba Telephone System that there are uses being made of its lines they object to and even granted that there may be some loss of revenue *per se*, to balance those concerns which are organizational concerns, maintenance concerns, perhaps even some small revenue concerns against what I believe is a serious infringement again on the ability of individuals to operate with a fair degree of private activity and not once again be told what they must do and have another list of records, another list of central index of who is doing what contained in some filing cabinet or some locked up registry, that is the issue. We are now saying that the Minister in this whole bill, and that comes back to the central principle that underlies much of the activity of the Manitoba Telephone System and Manitoba Hydro and a number of so-called public agencies, that they consistently and constantly these days put their own peculiar convenience and interests against what I think are some basic principles about how we should conduct government in this day and age and the degree to which government compels and requires people to submit to those matters of convenience. When it reaches a stage that we are now again undertaking this kind of almost mass identification in every retail outlet, supplier, wholesaler, distributor, requiring them to do so — and I presume, Mr. Speaker, and it hasn't been spelled out, but there is no penalty attached in this bill so I assume that the penalty would come under The Summary Convictions Act which means that someone might be liable up to two years. If someone disobeys this, someone doesn't obey it, I presume The Summary Convictions Act would apply and therefore someone may be liable or vulnerable to very major penalty under the law. — (Interjection) — Well, Mr. Speaker, the point still remains. This principle of wanting one person to tell on another, as we keep continually carrying it into further extremes — we talked about the thing the other day with the Minister of Continuing Education, we now require, if you want a student aid loan, that we have rights as a government, they say, to take all the income tax forms and pile them up — (Interjection) — The consent is that the person doesn't get student aid if they don't sign the waiver. What kind of consent is that? That is a very interesting concept of consent. In other words you don't get money, you will get no assistance unless you sign a waiver and the Minister is trying to imply that is consent. Well, what a strange, strange logic. Strange logic goes on in the mind of the Minister of Continuing Education. You know, Mr. Speaker, — (Interjections) — this gentleman will have — (Interjections) —

**MR. SPEAKER:** Order please.

**MR. AXWORTHY:** . . . occasion to raise the issue with this Minister about the curious way that he requires consent to be gained during his Estimates debate. If he wants to prepare his own position, we can forewarn him that he will be required to defend it in no uncertain terms.

I am simply saying that if you look at the number of Acts that we passed in this House last year, The Workplace Safety Act and other Acts requiring inspectors to go into workplaces, buildings, to go in and take materials and documents. Mr. Speaker, the Minister of Mines and Resources seems to feel that this is a big joke to have someone to walk into a house at any time within 24 hours, at any time, walk in and seize documents without any prior notice, that that somehow is a funny thing to talk about. That really is hilarious, Mr. Speaker. The Minister has — of course we all know his strange sense of humour — I suppose he gets delight out of that kind of intervention, of being able to walk into someone's place of business and taking the documents and records without any warning. That really gets the laugh line of the year, doesn't it, Mr. Speaker? It really is a great source of amusement, I am sure, to members opposite that they have all these powers at their disposal to begin requiring private citizens to continually find their own freedoms limited in a variety of ways simply for the convenience of some civil servant of some department or agency who feels that this will help their operation, that

this will help them provide for — that is the kind of issue that we are raising, Mr. Speaker. — (Interjection)— Yes, Mr. Speaker, I would be glad to.

**MR. SPEAKER:** The Honourable Minister of Mines.

**MR. GREEN:** Before, in 1955 I was the Director of the B'nai B'rith Camp. I was instructed by my board of directors to say that anybody who wished to send their child to camp at a subsidized fee would be required to verify their income by the submission of their income tax return. Do you think that the B'nai B'rith Camp board of directors, a community group of people such as the honourable member says he is always trying to facilitate, were asking something unfair of a person asking for a subsidy for their children going to a summer camp?

**MR. AXWORTHY:** To begin with, Mr. Speaker, what a submission to B'nai B'rith camp in 1954 has to do with the discussion of a Manitoba Telephone System bill escapes me, but if the Minister is prepared to sit in his seat, I am prepared to give him an answer. — (Interjection) — I know that the Minister doesn't want an answer anyway because he is simply there to make his point and then he runs. You know it is the classic tactic of the Minister of Mines and Resources hit-and-run because that is the tactic that he wants to apply. So if he doesn't want an answer, fine, he can go into whatever business he has. He asked the question; I am prepared to give him an answer. If he doesn't want an answer, that is fine, Mr. Speaker. —(Interjection)— You know I am prepared to speak to Ministers when they are in their seat, when they are prepared to get back to debate, whenever it is possible to do it. But the fact of the matter is that almost always organizations and groups in many cases are prepared to put a degree in trust that when someone puts a declaration of what their income is, that they are prepared to assume that that is an honest declaration. That is the basic problem with this government, it has no trust in people. It just simply has no ability and no interest to trust what is going on.

Going back to the smug Minister of Continuing Education, there are already very adequate procedures of audit and review that test out when those may be broken and to determine what the incidence is instead of continually multiplying the number of people who are going to be examining, surveying, collecting information on all kinds of private activities that people in this province are engaged in.

This government seems to have a total blindness, an inability to understand that principle, that there is and must be maintained continually a defence against invasion of privacy in this province. They have no understanding of that at all, Mr. Speaker. It becomes clear in piece after piece of legislation, in statement after statement of the Minister, that they simply have forgotten. It is a kind of myopia that is acquired after being too long in government and that, Mr. Speaker, is indicated day after day in this House, that they have lost the sensitivity and capacity to understand that there is a need to be solicitous about one's questions of privacy in this society.

Mr. Speaker, to require this is again one more example of how . . . treated with some — Well, they say the public service people want it; the Manitoba Telephone System, it would make things easier for them. Let's go ahead and put it in. Let's not bother checking this out.

That I think relates, Mr. Speaker, to the general problem with this bill, that again it is a bill that first, I would suggest, has been designed purely for the convenience of the Manitoba Telephone System not been well thought I would suggest, is not a bill that has gone through the kind of policy review and assessment that the Department of Telecommunications was set up to do. I would suggest to the Minister, and I would welcome his answer, that the Department of Telecommunications has had nothing to do with this bill, that as a policy-making body set up, granted a white paper mandate, that again the government is ignoring that department because they don't agree with this kind of thing either and they find that kind of action taking place in this area has a high degree of reprehensibility about it.

I suggest, Mr. Speaker, that again it is a question of which tail is wagging which dog and one more Minister now succumbs to the ever-present cajoling and persuasion of his officials to say, "This is the way things should be," as opposed to operating in a much more well-defined Ministerial role, and that is providing the kind of judgment that elected persons should apply against the civil servant which is so often immune to that kind of sensitivity we are talking about as proclaimed in Section 43.

But beyond that, Mr. Speaker, there is another factor, that this bill gives the Manitoba Telephone System complete control over any kind of connection whatsoever, not just the little devices that the chairman was so concerned about, but any device, any kind of connecting device, data processing, cable connection, any kind of linkage into that system is now totally under the control of the Manitoba Telephone System.

Now the question is who is controlling the Manitoba Telephone System in terms of the decisions they make on any of those linkages? Now the only requirement for the MTS to go before the Public Utilities Board is on telephone matters, where there is a so-called non-competitive provision, but on the other matters which are defined in an abstract way as being in the area of competitive price-setting, they are not required to go, and that includes things like linkages for data processing and cable systems and all the rest of it.

So what we are saying, Mr. Speaker, is that in this bill, that many of the areas which we are now giving Manitoba Telephone System complete command over are in fact not subject to the review and open examination through public hearings of the Public Utilities Board. I think it should be spelled out much more explicitly by the Minister, first within the whole range of connections and linkages that can be established under this bill, which ones are in fact regulated under that open regulatory procedure, and which ones simply stay unaccountable. I think that becomes a very important principle in this bill because it does mean that in many of the critical areas, and particularly as society develops much more into that electronic network system which theorists and so on talk about and which I think when the previous Minister responsible for Telecommunications issued his white paper talked about, what was it, the electronic city, or whatever phraseology was used, depicting a kind of magical world all plugged into the cable, all fixed into this wide system of telephone cable linkages. Well, if that prediction has any truth to it, then I would suggest, Mr. Speaker, that we are giving an immense amount of power to the Manitoba Telephone System which is not covered under the regulatory body which was originally set up to ensure that when it comes to setting rates and all the other kinds of questions related to it, that there is the opportunity for some form of open hearing, for some form of adversary process, for some form of representation by different groups who are interested.

What we are really saying is we are really writing a blank cheque, that if the communications technology continues to develop with the kind of speed and rapidity that it has, expanding into a vast number of areas, providing a much more complicated information network, many of which we couldn't even have predicted ourselves, but happening with such a degree of rapidity and speed that it staggers one's own imagination and provides for a serious time lag in legislation to keep up with it.

Certainly the kind of questions posed in the seminar in this province held here last Saturday concerning the use of computers in the invasions of privacy related to that particular electronic hookup, and the data processing linkages that go along with it, raised a number of important issues which deal directly with the kind of issues related to in this bill, the difference being that there were warnings saying, "Be careful, there is an immense amount of power, an immense amount of control contained within this new technology." The warning that came very clearly from that seminar was you must ensure that there is a maximum amount of protection and accountability provided. And here we are, one week later, dealing with a bill which in effect provides almost no protection and accountability at all in those areas that were being talked about.

Mr. Speaker, that really is a paradox and it does suggest that the bill is not a good bill at all and that the problem, and other members may be able to speak specifically to the problem of the hookup devices and so on that the Manitoba Telephone System came down with, their slide show and so on to present, but the fact of the matter is that we are engaging in a very serious time lag here with not understanding the tremendous importance and consequence of new information technologies and really passing over a great deal of power which is highly removed from scrutiny to the Manitoba Telephone System in this very sensitive and important area.

And that, Mr. Speaker, is as much the import of this bill as the question of talking about someone going to Radio Shack and buying an extension telephone that plugs in and the Manitoba Telephone System says, "We don't like doing that." No question, that probably is a problem from there point of view, but what they haven't looked at is the other side of the problem, the other side of it which comes down to what is the role of government in this area in relation to the rights of individuals and what is the kind of accountability that you hold over large Crown corporations in the exercise of a very important and growing field of activity in this society? Those are the unanswered questions which were not dealt with at all in the Minister's introduction to the bill and seemed to be of little concern so far because, when we discussed it in his Estimates, again there was a lack of interest almost in that kind of question.

And I suggest one reason is that in part the direction set forward, again in the White Paper that I referred to, which I still think is a legitimate and good document, did raise those questions and somehow again, maybe because of longevity and that kind of inertia one begins to acquire when one has been too long sitting on government benches, that they have not bothered dealing with an issue that they themselves raised two or three years ago and passed by. And they set up a Department of Telecommunications specifically designed to deal with issues like this, to make the policy advice, and then begin bypassing it. When really important issues come up, then that department that was set up for purposes . . . . So let's get rid of the department if we are not going to use it, like many other kinds of agencies that have been set up, I think more for public relations purposes than for real intent, then we should get rid of it. If we want to save money, let's get rid of those agencies which if given a legitimate job to do and did it, would be important additions to the governmental network of this province, but simply occupying an office and twiddling their thumbs and being asked to do peripheral work, means that we shouldn't be spending the money on them. And that is what the Department of Telecommunications has been put into. That is the kind of position it now occupies in these kinds of policy matters.

Communications policy is not being made by the department, it is being made by the Manitoba Telephone System and it comes down to the same issue that we have raised with Manitoba Hydro. Energy policy should not be made by the Crown corporation which is the production delivery agency, it should be made by a department which is able to look at a much wider set of factors and bring a much different set of considerations to bear. So we have seen the problem in energy, we are seeing now the same kind of problem in the question of communications. Who is making decisions, who is making policy?

So, Mr. Speaker, those are the kinds of concerns that we have about this bill and they are serious concerns because it does really relate to the kind of role the government is playing, and the kind of power and control that they conventionally operate. We think that if a Minister wants to pursue his concern about protecting against the damages and costs related to the connecting links of those Radio Shack telephones that they seem to be so concerned about, then he should equally address a much more deep and important ingredient to this whole issue, and that is what kind of protections are we using. I think certainly he should find a better way of dealing with it than asking suppliers and retailers to start snitching on their neighbours.

**MR. SPEAKER:** The motion will remain in the name of the Honourable Member for Fort Garry. The Honourable House Leader.

**MR. GREEN:** Mr. Speaker, I move, seconded by the Honourable the Minister of Tourism and Recreation that Mr. Speaker do now leave the Chair and the House resolve itself into Committee to consider of the Supply to be granted to Her Majesty.

**MOTION presented.**

### BUSINESS OF THE HOUSE

**MR. SPEAKER:** The Honourable Minister of Mines.

**MR. GREEN:** Mr. Speaker, I would just like to make an announcement with regard to the Proceedings of the House. I believe it would be convenient to have a meeting of Private Bills Committee on Thursday at 10 o'clock. There are some bills before the committee and as well there is a consideration of a motion, if the committee chooses to pass it, to extend time, so perhaps that could be at 11 o'clock rather than at 10 o'clock so that members would not have to be here an hour earlier. I think that 11 o'clock would be sufficient time to consider the two bills. Eleven o'clock on Thursday, Private Bills Committee.

**MR. SPEAKER:** The Honourable Member for Fort Rouge on the procedure.

**MR. AXWORTHY:** Yes, Mr. Speaker, I have a question for the House Leader concerning his announcement that we would hold a meeting of the Committee on Private Members' Bills. What does that indicate in terms of those Private Members' Bills which are still on the Order Paper, that is would he be scheduling other members on that, or . . .

**MR. GREEN:** Those bills won't be affected. It's just that we have an open Thursday and I thought it would be convenient to hold the meeting. There are some things that have to be done in Private Bills Committee, including the extension of time, so I say at 11 o'clock. That won't affect the bills that are now on the Order Paper unless some of them move further today, in which case we want the people who are sponsoring or dealing with those bills to appear on Thursday at 11 o'clock. I believe 11 o'clock would be sufficient time. It gives the members an extra hour.

**QUESTION put, MOTION carried** and the House resolved itself into a Committee of Supply with the Honourable Member for Logan in the Chair for Continuing Education and the Honourable Member for St. Vital in the Chair for Industry and Commerce.

CONCURRENT COMMITTEES OF SUPPLY  
ESTIMATES - INDUSTRY AND COMMERCE

**MR. CHAIRMAN, Mr. D. James Walding (St. Vital):** We have a quorum gentlemen, the Committee will come to order. I would direct the attention of honourable members to Page 40 in their Estimates Book, the Department of Industry and Commerce.

Resolution 77 Manitoba Housing and Renewal Corporation. (a) General Programs. The Honourable Minister.

**MR. EVANS:** Mr. Chairman, by way of introduction to these Estimates, I would like to take this opportunity to make a number of observations. I'd first of all like to point out how the activities of the Manitoba Housing and Renewal Corporation, how they have contributed towards the improvement of the housing situation in the Province of Manitoba.

Since the election of the present government in 1969 the primary thrust of Manitoba Housing and Renewal Corporation's activity has been in the area of providing housing for those people least able to cope with their housing problems, our senior citizens, our poorer working people, and generally those in greatest need who cannot help themselves, including people such as poor single parent families. This activity has resulted in the development of in excess of 11,000 public housing units, including almost 2,000 units in 1976 alone. In fact, in recent years Manitoba has developed the highest number of public housing units per capita of any province in Canada. The magnitude of MHRC's accomplishments, under the present government, can best be appreciated when compared with the situation we found in 1969. In existence since 1967, the corporation had only managed to develop some 568 units, all in the City of Winnipeg, and since that time, that is up until 1969, since that time MHRC has developed some 7,412 units in Winnipeg, including 2,731 family units and 4,681 elderly persons units. In place of the total vacuum of activity in rural Manitoba MHRC has developed some 3,733 units since 1969, including 1,942 family units and 1,791 elderly persons or senior citizen units.

Taken all in all this represents a twentyfold increase over the social housing stock in place in 1969. Had the previous administration continued in office to develop social housing at the rate that was then in existence, I would suggest, Mr. Chairman, we would be well into the 21st Century to obtain the present stock, which is conservatively estimated as having a value of about a quarter of one billion dollars.

In 1976 MHRC developed almost 2,000 housing units at a capital cost of about \$53 million, and it is intended that in 1977 MHRC will at least match that level of activity, if not exceed it.

Senior citizen housing will, of course, continue to be a major priority. It has of course always been a matter of concern to this government, that for many of our elderly, after spending their lives building this province, are relegated in their later years to living in the discomfort and indignity of substandard shelter. I am sure that all members of this House will agree, in view of the recent tragic fires, that despite the high production of senior citizen units to date, we can by no means become complacent in this respect.

In addition to the 6,000-plus subsidized senior citizen units developed to date MHRC has also developed nearly 5,000 units of family housing, that is ten times the number of units in place in 1969. Moreover, not only have we been concerned to produce family units in numbers sufficient to make up for the lack of such units in place eight years ago, but to assure that they be sufficient in terms of the quality of life afforded their residents. The thrust established in the development of family public housing units prior to 1969 emphasizes the objective of producing units as cheaply as possible, and therefore in as high a concentration as possible, witness the fact that all of the 432 family public units that were developed before 1969 were concentrated in two areas in the City of Winnipeg, Burrows-Keewatin and Lord Selkirk Park. I submit, Mr. Chairman, this is the old style of so-called urban redevelopment where, unfortunately, you concentrate too many people together in one relatively small area, and almost ghettoize such persons.

No thought was given to the tremendous social and human problems that resulted from such developments in other cities, and I would suggest that — as I indicated a minute ago — that there is a danger of providing, in the future at least, some form of ghettoized slums.

Since 1969 it has been MHRC policy to avoid high concentrations of family public housing in any one development. It is rare that any one site has been developed in excess of 50 family units, and for this reason and a host of other related special considerations that go into the planning and development of our units, we feel that we have gone a long way towards ridding public housing of the stigmas conventionally attached. In effect, not only in terms of the overall production of units, but also, in terms of the livability of our developments MHRC is doubtless in the forefront of social housing activity. The corporation's progress in this latter respect, perhaps best exemplifies the government's stated commitment, when it first took office, to improve the quality of life of all

Manitobans.

At the same time MHRC's activity in rural Manitoba should serve to demonstrate the strength of the stay-option policy enunciated by this government early in our administration. Besides the 3,700-plus units developed in rural and northern towns since 1969, under the Public Housing Program, 800 additional units have been provided to remote communities under the Rural and Native Housing Program, to the extent that the provision of housing represents a significant contribution to the infrastructure of our rural economy. I would submit, Mr. Chairman, that the activity of MHRC has been most central to the stay-option effort.

Of the 4,500 subsidized units developed outside of Winnipeg some 1,500 have been put in place in northern Manitoba, including the non-subsidized units developed in the north, MHRC is by far the leading housing developer in the regions. This fact is indicative of the role that government must play in housing where the private sector does not find it advantageous to do so. This necessity is recognized under the National Housing Act, and the public sector housing role is increasingly expanding in the south as well, both in Manitoba and in other provincial jurisdictions.

Thus, according to CMHC data for 1976, out of the total of 6,718 housing starts in the City of Winnipeg some 2,990, or 45 percent were publicly subsidized directly or indirectly. However, if we exclude the number of single detached housing starts in which, to date, public sector assistance has been minimal, and look at the various multiple housing type starts, that proportion increases to 77 percent. And if we further restrict ourselves to the highest density form, apartment starts, the proportion again increases to an amazing 91 percent.

The growing inability on the part of the private sector to supply its traditional markets at affordable costs without massive public subsidy has necessitated the development of a more comprehensive program package on the part of this government. As I indicated earlier, the primary thrust of the government's housing policy has been to assist low income Manitobans to obtain decent shelter, and this will continue to be a major priority area.

In addition to the provision of new rental housing for low income Manitobans, this government has also rehabilitated some 30,000 units owned by people in the lower income scale, lower portion of the income scale, at a cost to date of some \$14 million under the Critical Home Repair Program, and its predecessor the Pensioners Home Repair Program. For the current year an additional \$5 million has been allocated.

The twin objectives of housing rehabilitation policy are: (1) to ensure that lower income family and pensioner homeowners may have the opportunity to maintain their older units so that they may take greater pride and live in greater comfort in their own homes, and (2) to contribute toward the preservation of our housing stock for future generations. It is intended that our rehabilitation programming, which has been hailed as a pioneering effort, both by other provinces who have followed us, and outside of Canada, will continue to hold a significant place in our overall housing program.

Programs geared to the needs of low income Manitobans do not however, in this day and age, represent a comprehensive housing policy. There are a growing number of Manitobans in the moderate to middle income ranges who have traditionally aspired to the ownership of their own homes, who are, due to perverse market conditions, being denied this opportunity. The phenomenal rate of inflation experienced in the last five years was, in itself, not so damaging to this group, in terms of most essential cost of living items, that these families were not able to keep pace minimally. However, with respect to housing prices, the rate of inflation was nearly double that of the overall rate of inflation, and with the result that many such families require some form of subsidy to realize traditional home ownership aspirations. And, on this subject this government's conclusions appear to be in agreement with those expressed by the private housing industry. In 1975, the Housing and Urban Development Association presented a brief to us and the Federal Government, in which they indicated that without institution of a program providing for subsidies to the industry, or directly to householders for families with incomes below \$15,000 per year, they could not receive an adequate return on their development investments. The enormity of this problem as perceived by HUDAM can be appreciated when it is realized that according to 1975 tax data 70 percent of the Manitoba families had earnings less than \$15,000.00. The HUDAM submission served as testimony to the fact that even with the range of subsidies already available through the Central Mortgage and Housing Corporation' not to mention various tax incentives, the private sector is by and large incapable of serving all but the highest income Manitobans today. Admittedly MHRC has not yet made a significant impact, insofar as the moderate income housing market is concerned.

However, as was announced in the Throne Speech, we will shortly be initiating the servicing of some 500 acres of our 4,000 acre Winnipeg Land Bank. It is intended that the first group of lots will be on stream by the fall of this year. Our subdivision plans are geared to the development of homes predominantly for those in the moderate income range. We are confident that the lot prices and unit end prices will be significantly below what is considered to be normal market levels. Our pricing will be based more closely on actual costs than what the market will bring. At the same time we will attempt to ensure that while we are not taking full potential market profit, perspective purchasers,



who might wish to speculate on the taxpayers investment, will not easily be able to do so either. And, although we know that we cannot fully effect market stabilization, we are confident that we will effect a significant lag on the rate of increase of housing prices over the long run, I must emphasize over the long run. I cannot expect this in the short run.

Mr. Chairman, there are other program thrusts which have been undertaken by MHRC since 1969, and we will be able to discuss some details of these if members so desire, including our support of co-op housing, for instance, including our Rural Mortgage Lending Program, including our assistance to non-profit housing corporations where these seem to fit the bill, and so on.

The important point, however, is that since 1969, since my colleagues and myself have been around, we have had a very active housing program, MHRC has been delivering a very comprehensive programming package and I am pleased to observe that MHRC is indeed one of the most dynamic Crown housing agencies in the entire country.

On that note I would be very pleased to discuss the Estimates of this corporation.

**MR. CHAIRMAN:** The Honourable Member for River Heights.

**MR. SPIVAK:** Mr. Chairman, on just on the point of privilege, Mr. Chairman, before we begin, and not to take away from the first speaker. I wonder, because the officials are here, whether the Minister is now in a position to indicate when the report of the Manitoba Housing and Renewal was sent to the printers for printing, the letter of transmittal was January 25th.

**MP. EVANS:** On March 22nd.

**MR. SPIVAK:** Well, I wonder if there can be an explanation for the delay, I mean, I think it is incredible to ask us to deal with something that was just presented to the Legislature today, in view of the fact that the transmittal did take place on January 25th.

**MR. EVANS:** Well, Mr. Chairman, I can assure the honourable member that I have been as anxious as he awaiting this report, as a matter of fact, there was a danger that we wouldn't have it for today, and it simply is coincidental that we did get it from the printers today. As I indicated in the Legislature earlier this afternoon, I have delivered it to the members virtually within an hour or so of having received it.

**MR. SPIVAK:** The requirement under the Act is that this report is to be produced forthwith. That is a requirement under the Act. Well, I would suggest that if it went to the printer a month after the Legislature started, that isn't a procedure that would indicate forthwith, and if you want to I think you should speak to the Clerk as to whether that is or is not, the requirement under the Act.

**MR. EVANS:** Well, Mr. Chairman, I only repeat that the staff have worked very hard on this and have been very conscious of the need to avoid any delay, and as I am advised, it was printed and prepared as expeditiously as possible.

**MR. CHAIRMAN:** The Honourable Member for Sturgeon Creek.

**MR. J. FRANK JOHNSTON:** Well, Mr. Chairman, I would just like to elaborate on the fact that it is very disappointing to receive a report on the MHRC the day we are going to be working on their Estimates. I think that the Minister must realize the importance of the amount of money that is being spent here. The fact that the Minister has elaborated very much on the fact that the amount of work that has been done since 1969, and he continually mentions that particular year, I would go over with this Minister, who is a new Minister, in this public housing situation, and remind him that previous to 1969 the efforts were basically on urban renewal within this province, and it wasn't until Mr. Andras became the Minister that large sums of money were made available to housing and the format was changed by the Federal Government.

Given the opportunity to spend that type of money, I would say that any government in power, with any sense, would have carried on a public housing program, and I assure you it would have been done under our government. So let us just clear the air on that one right now, and we will now talk about what is happening in the Manitoba Housing Corporation.

**MR. CHAIRMAN:** The Honourable Member for St. Matthews state his point of privilege.

**MR. JOHANNSON:** I fail to see that the Honourable Member for Sturgeon Creek was talking to a point of privilege, but back to the point of privilege raised by the . . .

**MR. CHAIRMAN:** No, the Honourable Member for Sturgeon Creek was not on a matter of privilege, he indicated a wish to speak to this resolution and I so recognized him.

**MR. JOHANNSON:** On the point of privilege, Mr. Chairman, raised by the Member for River Heights, if the Minister just received the copy of the report from the printer an hour before, I don't see what else he could do.

**MR. CHAIRMAN:** The Honourable Minister.

**MR. EVANS:** Mr. Chairman, on that same point, I would like to read the section of the Housing and Renewal Corporation Act which refers to the tabling of the Annual Report, this is Section 4, subsection 3: "The Corporation shall make a report annually to the Minister upon the affairs of the Corporation, and the Minister shall submit the report to the Lieutenant-Governor-in-Council and shall lay the report before the Legislative Assembly if it is then in Session, or if it is not then in Session, at the next ensuing Session." There is no word "forthwith" included in this, and I would advise that

this particular section dates back to the Act passed in 1966-67, so we have tabled this report, in fact, there is nothing illegal if the report wasn't even prepared by today, and I am pleased that it is prepared finally — I have been waiting for it very anxiously myself — but, the fact is that there is nothing illegal or irregular in tabling the report as quickly as I have been able to table it.

**MR. CHAIRMAN:** The Honourable Member for River Heights.

**MR. SPIVAK:** The Minister received the report on or about the 25th of January. It seemed to me that he has been rather slow in getting it to the printers, and if it was referred to the Board and not referred to the Minister until later, then I think we should know that as well, because it would seem to me that there was an obligation for a Minister to be able to present the report, for us to be intelligently able to discuss the Estimates, and to vote in favour or not in favour of the amounts that are asked for. It would seem to me that there is an obligation incumbent upon the government, and incumbent upon the Minister, to at least produce it in such a way that we can deal with it adequately. And while we may not have any alternative but to deal with it now, I think that the objections should be raised because I think that this has been rather sloppy in the sense that it should have been with us before.

**MR. CHAIRMAN:** The Honourable Member for St. Matthews to the same point.

**MR. JOHANNSON:** Yes, Mr. Chairman, the only thing that is sloppy here is the research of the Honourable Member for River Heights. The Minister has spelled out the fact that there was no point of the legislation broken, contrary to what the member told us, and the member is simply wasting the time of the Committee with frivolous matters.

**MR. CHAIRMAN:** Order please. We heard the section of the Act read out by the Minister, the Chair is of the opinion that none of the honourable members have a point of privilege. May we return to the debate before us, Resolution 77, the Honourable Member for Sturgeon Creek.

**MR. J. FRANK JOHNSTON:** Mr. Chairman, I am going to refer to the Auditor's Report of the year ending 1976, and in Management Information and Control Systems, no effective action has been taken regarding our main concern pertaining to development and operation of an effective management information system including the internal reporting procedures at fiscal controls.

We have been advised that steps will be taken to obtain assistance to resolve this matter. Mr. Chairman, the Minister, I think at this time, should explain what has been done — because in the Auditor's reports in the previous years he has mentioned the same thing, and he has also said — regarding our main concern. Now what steps are being taken to solve the problems that the Auditor has reported in this particular statement of his?

**MR. CHAIRMAN:** The Honourable Minister.

**MR. EVANS:** Yes, Mr. Chairman, I can advise the Committee that, in view of the Auditor's concern and recommendations, we have now interviewed three major consulting firms who are specialists in financial management systems, I could give you the names if you wish, but we have interviewed three of them and we have asked for, as a follow-up, written submissions. I believe we have received one written submission and the other two are due very shortly and we will be making a selection of one of these to assist us in strengthening the financial control mechanisms within the corporation.

**MR. F. JOHNSTON:** Well, Mr. Chairman, as the Honourable Minister has just received this report and I take a quick glance at it, I find that the Churchill Housing Authority as of December 1, 1975, "however, before essential losses of \$932,144 on the operations of Churchill Housing Authority has been in the books of the Corporation for the year ended March 31, 1976." But, Mr. Chairman, that's nearly a million dollar loss on the Churchill Housing Authority. I wonder if the Minister could explain what is being done and what control do you have over the Churchill Housing Authority?

**MR. EVANS:** Excuse me, Mr. Chairman. I wonder if the honourable member could indicate where he is reading in the report.

**MR. F. JOHNSTON:** I am reading from Page 42 of the Report.

**MR. EVANS:** Page 42.

**MR. F. JOHNSTON:** Towards the bottom of the first column under Item 2. Now, I read that as a loss of \$932,000.00.

**MR. EVANS:** Yes, that figure relates, Mr. Chairman, to the rental subsidy that is provided for the public housing in that area. We have 104 housing authorities in Manitoba; they all deal with subsidized situations of course. This is the nature of the program, 50-50 federal-provincial subsidy program, and this amount of money, I am advised, is the amount of money which would be paid out as a rental subsidy through the Churchill Housing Authority.

**MR. F. JOHNSTON:** How many housing authorities did the Minister say there was?

**MR. EVANS:** I believe there are now 104 housing authorities in Manitoba. I would like to elaborate, Mr. Chairman, very briefly on our arrangement. Manitoba is very unique in this respect. I believe we are the only province that has delegated the responsibility for administering the properties of the corporation. We have done this by establishing what we refer to as a Local Housing Authority. The biggest, of course, in the province is the Winnipeg Regional Housing Authority but we have them in the cities and towns where public housing exists.

The boards of these Authorities are appointed by the Minister in this way. One-third of the board is nominated by the Municipal Council; one-third of the board is elected for nomination by the tenants of public housing, whether they be senior citizens' housing or family housing; and one-third are citizens chosen at large. These names are submitted to the Minister who then appoints the board. Normally boards are six or nine members but they may vary from that but this is the normal size. The board, once constituted, has the responsibility, as I said, for maintaining the property, for collecting the rents, paying the utility costs and so forth. And they also have the responsibility for screening applications, they hire the manager, the caretaking staff, etc.

Unlike most other provinces, therefore, we do not have a large staff within MHRC required to work on the maintenance of these properties scattered through 104 communities in Manitoba. Unlike the Ontario Housing Authority, we do not have hundreds of civil servants in effect required for this work. We have delegated it, it has been decentralized, the communities are involved, the tenants are involved and I think it seems to be working generally fairly well. In the case of the Churchill Housing Authority, the same applies. One-third of that board is suggested for appointment by the Town of Churchill; one-third would be elected by the tenants; and, as I said, one-third at large. And it is that Housing Authority legally constituted, that would receive various subsidy payments by the Manitoba Housing Corporation.

**MR. F. JOHNSTON:** Mr. Chairman, again in the report of the auditors, it mentions housing authorities and it says, "However, difficulties in controlling these operations are being encountered because the Corporation does not place sufficient emphasis on monitoring the administrative practices of these authorities or giving special supervision to those authorities who have demonstrated weaknesses in internal administration. This lack of adequate direction and control results in ineffective rent collections and other inefficiency practices resulting in subsidies to these authorities being higher than necessary. The difficulties mainly arise from the staffing deficiencies which the Corporation is trying to overcome."

Now, that's the second time in the Auditor's Report that I have mentioned that the Manitoba Housing and Renewal Corporation are trying to overcome something. Now, the crux of the statement that is made by the auditor there is because of bad administration over these authorities, it is costing the province more money than it should. Now what particular control is the Manitoba Housing and Renewal Corporation going to take to take steps to save the people of Manitoba money.

**MR. SPEAKER:** The Honourable Minister has one minute.

**MR. EVANS:** Thank you, Mr. Chairman. Very briefly, we have retained two more housing co-ordinators, these are field co-ordinators, to help us get a better handle on the operations of the housing authorities and we have hired an additional financial person, an auditor type, who is located in the Manitoba Housing staff in Winnipeg and we feel with the addition of these three positions, we are going to be able to come to grips with some of the problems that the auditor refers to. I would point out of course, there has been such a rapid expansion of this type of housing throughout the province that it is hard to keep up with. The Corporation has been so very active.

**MR. SPEAKER:** Order please. In accordance with our Rule 19(2), I am interrupting the proceedings of the Committee for Private Members' Hour. I will return to the Chair at 8 p.m.

ESTIMATES — CONTINUING EDUCATION

**MR. CHAIRMAN, Mr. William Jenkins (Logan):** I would refer honourable members to Page 16 of their Estimates Book. I would also refer you to the sheet that you received making a correction in Resolution 40. It is broken down. This was distributed, all the members have it, or should have it. Resolution 40 is split into Sections (a)(b) and (c). The new section which was distributed as a sheet to members; Resolution No. 40, Support Services Internal, Program Description (a) Minister's Compensation - Salary and Representation Allowance. The Honourable Minister of Continuing Education and Manpower.

**MR. HANUSCHAK:** Mr. Chairman, in presenting the Estimates for the Department of Continuing Education and Manpower, I should like to deal with those aspects of the operation of my department which I did not mention in my remarks earlier in this Session, during the debate on the Throne Speech.

At that time I dealt in some detail with certain aspects of the work of my department that were relevant to that debate. In particular I mentioned the special programs being offered to help the handicapped and disadvantaged through special university programs and through New Careers. These are important programs, but it's not my intention to repeat what I had said earlier.

At that time, Mr. Chairman, I dealt also with some aspects of the Manpower side of my department, and I will not cover these points again, but I will draw the members' attention to some of the relevant data relating this section and to the Community Colleges.

I comment briefly on the significance of the change in name of my department. It has been apparent for some time that the changing nature of the work of the Department of Colleges and Universities Affairs suggested that a more encompassing title could better describe the department. As honourable members know, Special Projects has included a wide range of activities, only some of which involve university or college programs. New Careers is job based. The Parklands activities in the field of community education.

It seemed desirable also, Mr. Chairman, to focus responsibility in the government on Manpower activities. From all this was concluded that the title "Department of Continuing Education and Manpower" would be more descriptive of the areas of responsibility encompassed by this department.

Mr. Chairman, I should now like to give you an overview of the Estimates from my department.

The first section in the Estimates deals with the normal administrative functions of any department and is well summarized in the brief statement printed in the Estimates. All members are well aware of the programs offered in the Community Colleges, and of the significant contribution that is being made by the three colleges, namely Red River Community College in Winnipeg, Assiniboine Community College in Brandon and Keewatin Community College in The Pas. This contribution is being made, not only to the province to strengthen and extend the economic development of the province, but most importantly, to the citizens of Manitoba who enrol as students in the colleges.

Enrollments in the colleges have grown steadily, even though post-secondary enrollments are now levelling off and are projected in a year or two to begin to decline, the colleges are still experiencing an increase in demand for courses.

Members will know, Mr. Chairman, that many students enrolled in the colleges are placed there by Canada Manpower, for training, retraining or for upgrading. I should like to digress briefly here, Mr. Chairman, to acknowledge the excellent work being done by the Manpower Needs Committee, which is a joint body between the Federal Government and the Provincial Government and co-chaired jointly to examine the needs of the labour market and the economic indicators, to develop a statement of the training program required for Manitoba to submit to the Federal Department of Manpower and Immigration. This Committee is widely representative of both governments and has developed well documented and well supported proposals to Ottawa which have resulted in a level of training in Manitoba that has helped many Manitobans to secure training and later to secure employment. I will have more to say about this, Mr. Chairman, in the following section.

It is difficult to present enrollment figures that are meaningful with respect to the Community Colleges, because of the diversified learning opportunities that are available through the colleges. There are full time students taking a full year's program. There are apprentices, who although they attend full time, do so for only a limited number of weeks. Significant numbers of students take evening school or other short courses in the colleges. However, to quantify the enrollments so members will have some idea of size, may I say that in cumulative enrollments for all students, the numbers for 1976 are as follows: Red River 22,984, Assiniboine 4,940, and Keewatin 4,287.

Now if one were to ask how many students are actually at the colleges, it is best to pick a representative date and say that in March 1977 the enrollment was 5,142 at Red River, 1,136 at Assiniboine and 611 at Keewatin in daytime attendance.

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Because the colleges are oriented toward job training and to the labour market, there is a continuing need for all those connected with their operation to keep under review the demands of the labour market, both now and for the future. I have indicated that this is done by the Manpower Needs Committee. It is also done by the Manpower division, by the Planning and Evaluation section, by the colleges and by other government departments. The results of this continuing review can lead to terminating programs where needs have reduced or changed, establishing new programs where new needs develop or modifying programs to keep them and their graduates in tune with the labour market.

The colleges obviously cannot be fine-tuned to the labour market to produce only the right number of people with the right qualifications, because neither the labour market nor individuals are predictable. Nevertheless the necessary steps are continually being taken to achieve a desirable balance for the benefit of graduates and to meet the needs of the province for trained people.

It would be appropriate for me to mention here, Mr. Chairman, one aspect of the reorganization that I referred to earlier. We have brought together, under the Assistant Deputy Minister responsible for the colleges, various aspects of post-secondary education that it seemed useful to consider as a whole, as one unit. This new structure is just nicely underway, so I shall not go into much detail.

Because of the nature of operations of Special Projects, New Careers and Community Education for which the Estimates are in Section 5. These sections have been joined into the whole which I have just mentioned.

Members will note a new section in the Estimates for the colleges entitled Planning and Evaluation. This section operated previously as Instructional Planning and Evaluation and was included in Division Administration. Its role has been widened and it seemed more appropriate to establish it as a separate entity. Basically it does the planning and evaluation, that I referred to earlier, that needs to be done centrally. Each college has an educational development officer who carries out course development and evaluation at the college level, and who works in a close relationship with both the college and Planning and Evaluation.

Accounting and information systems have been established which allow us to monitor closely our training delivery and associated costs. Quarterly examinations of the data, that is the actual dollars spent and the actual training delivered, have enable us to operate very close to the money available from Canada. Considering that our budget from Canada is \$10 million to \$11 million I consider this to be a noteworthy achievement.

I might also mention, at this point, that the work that my department has undertaken, with respect to the development of cost analysis systems and other administrative information and analytical systems, has resulted in our colleges realizing a level of operating efficiency which can best be illustrated by the fact that our cost, per training day, will only have risen 19 cents from 1975-76 to 1977-78. Now clearly this is an achievement of which we can all be justly proud.

I mentioned earlier, Mr. Chairman, the important need to keep course content relevant to the demands of the labour market. Honourable members will note that this is a concern shared by Canada inasmuch as they support fully the Training Improvement Program for the courses provided and the various areas related to adult basic education and skilled training. As well as on-campus courses, all the colleges have extensive off-campus or extension courses. These courses range from 52 week courses, in adult basic education to raise the academic level of adults who need this training to improve their job qualifications or to proceed to skill training, to short intensive courses in various areas related to agriculture for example, to improve their skills and capacities of those working in that field. These off-campus courses are scattered over the whole province wherever Canada Manpower can identify a sufficient number of students to enroll in a course. Local facilities of all kinds are used in this program, as well as local people as instructors where possible.

I should like to conclude this section by mentioning the very successful program being offered at Red River Community College for deaf students. In addition to attending regular classes during the school year students take summer courses to help them get ready for the college program and to familiarize them with the college. Students are provided with interpreters who help them to keep up in regular classes and thereby enabling them to make regular progress in their training program.

While the major contributor, under a shared cost agreement for students outside Manitoba is Saskatchewan, there are students under this agreement from two other provinces.

I would now wish to turn to the next section of my department dealing with the Universities Grants Commission. Now I'm sure, Mr. Chairman, that all members are aware of the situation in our Universities, as well as the general situation in Canada because of the wide coverage that is provided them by the media. I am sure everyone is aware also that the University of Manitoba is celebrating its centennial this year and we would want, I'm sure, Mr. Chairman, to extend best wishes to the University.

The history of the University of Manitoba and its constituent and founding colleges is inextricably bound up with the history of our province.

It is popular these days, Mr. Chairman, for many people to say that the heyday for education is

over. The implication is that educational funding has been so generous that educational institutions are going to have to manage on less. I'm sure, Mr. Chairman, that anyone who stops to think for a moment knows there is something wrong with this argument. Of course, in the recent past there were high levels of capital spending for all education in the rush to provide needed facilities. As enrollments mushroomed, operating costs increased substantially.

We are now in a period of enrollment stabilization at the post-secondary level and a decline in the school system. It is only reasonable that cost increases will slow down. just

Now a brief overview of the universities. I just want to highlight a couple of points. We're continuing to propose that additional funds be provided for our universities and St. Boniface College because enrolments are still rising — albeit at a slow rate — and I will deal in some detail with that later on. Inflation continues to push up universities' as well as all other costs. We expect, Mr. Chairman, that our universities will have to look carefully at their operations and costs, as will all branches of government and other agencies associated with government. We recognize the importance of universities in the life of the province and in the future lives of those who attend and who profit from their attendance. We think that our proposal to increase the funds for universities by almost 11 percent is a reasonable and a proper one, and will permit the universities to continue to fulfill and discharge their responsibilities to the people of Manitoba.

I think it would be appropriate for me to remind all honourable members, Mr. Chairman, that our universities operate under an Act of this Legislature — the Universities Establishment Act — and that is the Universities of Brandon and Winnipeg, and the University of Manitoba operates under an Act of its own. I mention this, Mr. Chairman, because people sometimes want to know what the government or what I am doing or going to do about matters involving the universities. I want to stress and emphasize, Mr. Chairman, that the role of government is in the funding of the universities and matters related thereto. After the amount of that funding has been determined here, the Universities Grants Commission, by statute, has the responsibility to distribute these funds. I do feel, Mr. Chairman, that the Universities Grants Commission has, over the years, discharged its responsibilities in a very satisfactory manner.

I have mentioned that the grants to the universities will show an 11 percent increase for the forthcoming fiscal year which, translated into dollars, means this would result in an operating grant of \$94,433,600.00. That is an 11 percent increase over the amount provided in last year's Main Estimates. As I have said, I do believe that this compares very favourably when one looks across Canada and one finds that provinces such as Ontario and British Columbia have only provided for a 10 percent increase in their grants to the universities within those two provinces. At the same time, we do believe that it is unnecessary for universities to implement any tuition fee or any significant tuition fee increases, but we recognize that under existing legislation only the universities have the right to establish tuition fees. Therefore, if any one of the institutions decides to increase tuition fees, it certainly is not the intention of this government to object. That is a power which the universities have.

Now, in addition to the figure of \$94.4 million in the current Estimates, I would just like to draw to your attention that you will also be asked to authorize the borrowing of \$4 million for Miscellaneous and Special Capital Purposes, and a further borrowing of up to \$3.5 million for Major Capital Purposes, making the total Supply for Current and Ongoing Capital Purposes in excess of \$100 million — \$101.9 million. And the corresponding figure, Capital and Operating, for the fiscal year just ended, was \$89 million made up of \$85 million the Main Estimate and \$4 million Capital.

As I have indicated, the growth of universities is levelling off after having experienced a very rapid increase in enrolment. For example, in 1960, the full-time enrolment in our universities was 6,200 students; in 1970, 16,760 students and in 1976, six years later, 17,426 students. So during the first ten-year interval that I have referred to, the increase was from 6,200 to 16,700 students, roughly about 250 percent increase, or well over, about 166 percent increase — one being 266 percent of the other — so the actual increase about 166 percent. Then in the six years that followed the increase was in the order of, well less than 10 percent of the 1970 figure.

The full-time enrolment for the forthcoming year shows a modest increase from the figure of 17,400, that I have mentioned, for 1977, 17,775.

Now, the increase in part-time enrolment in 1960, well it showed an increase in this field, which is climbing perhaps at a somewhat more rapid rate than it had been all along although that is tapering off somewhat too. In 1960, the part-time enrolment was 4,369 and it quadrupled by 1970 to 17,395 and then it began tapering off over the last six years, 1976 it stood at 21,253 — another 25 percent increase from 1970, roughly. The increase in part-time enrolment, especially in the last decade, shows a new degree of public commitments to continuing education in universities. Of those enrolled part-time in 1976, 11,707 were in the regular winter session and 9,546 in the summer session. Several years ago, it had been estimated that part-time enrolment would overtake full-time enrolment in the mid-Seventies. Clearly, the number enrolled on a part-time basis is now greater than full-time enrolment.

Another measure of growth appears in the increase of gross operating expenditures which have risen from \$11.3 million in 1960-61 to \$24 million in 1965-66 and \$89 million in 1975-76. The

universities budget figures for 1976-77 are estimated to be \$101 million and these figures do not include grants in lieu of taxes of approximately \$6.5 million.

In the period from 1960-61 to 1976-77, the universities' revenues from tuitions fees have increased from \$2.1 million to \$10.9 million, an increase of about 419 percent. Provincial operating grants have increased from \$4.4 million to \$94.4 million in 1977-78, including the \$7.2 million for grants in lieu of taxes, an increase almost five times as great as the tuition fee increase. Research income has increased from \$1.6 million to approximately \$12 million, an increase of 650 percent. In the same time, by way of comparison, full-time enrolment increased from 6,232 to 17,426, an increase of 180 percent. So I would suggest to you, Mr. Chairman, that in considering the Estimates of my department and considering the level of support that the universities receive from the province, that these figures be kept in mind and that these matters be placed in their proper perspective — the increase in enrolment on the one hand and the increase in the level of provincial support. In particular, the increase in the level of provincial support commencing 1969 as it contrasts with that prior to 1969.

The Clarkson-Vayda Report which has reference to the redevelopment of the Health Science area, has an impact on the University of Manitoba and its Faculty of Medicine. One of the recommendations in the Report deals with the question of enrolment in the Faculty of Medicine. The Chairman of the Universities Grants Commission has been appointed to chair the Medical Manpower Committee formed under the joint sponsorship of the Ministry of Health and Social Development and the Ministry of Continuing Education and Manpower to deal with this and other important questions relating to the supply of positions.

It is inevitable that under the pressures of rapid growth, each university should tend to think of its own expansion and isolation from other universities both within the province and in the Prairie Region. Without suitable controls, unnecessary and undesirable duplication of programs and facilities could result. These controls are exercised in Manitoba by the Universities Grants Commission under its statutory powers. And inter-provincially, on the prairies and in British Columbia, by the Western Canada Post-Secondary Co-ordinating Committee which includes Ministers of Higher Education of the Western Provinces and officials designated by them. In Manitoba, our three universities and St. Boniface College all offer programs at the undergraduate level. During the past year, the Universities of Manitoba and Winnipeg have agreed to co-operative teaching arrangements leading to joint Masters programs in limited fields.

As the figures already quoted above show, the costs of post-secondary education have been increasing at a phenomenal rate and both the Federal and Provincial Governments have had concerns about the nature of measures which would control these costs while continuing to guarantee education at a high level of quality to all those who want it and can profit from it. Federal cost-sharing of post-secondary expenditures provided for in the Fiscal Arrangements Act will cease as of March 31, 1977. The provinces and the Government of Canada have concluded alternative fiscal transfer arrangements. The universities and the commission are paying particular attention to the reduction or restraint of costs but without reducing needed services.

I am sure, Mr. Chairman, that the committee will be interested to learn that some of the recommendations included in the report of the Task Force on Post-Secondary Education have been implemented. These refer to the category method of budgeting and the financing of the institutions and to graduate studies and research planning. The Universities Grants Commission determined that it wished to change the format for budgeting and undertook to provide the basis for the submission of the institutions' budgets on a categorical basis. This, of course, in accordance with the legislative powers of the Grants Commission. Other recommendations in the Task Force Report are being implemented or actively studied.

The government and the Universities Grants Commission, faced with a more moderate enrolment growth, have become much more cautious in approving any new capital or academic programs. We are also well aware that previous enrolment forecasting methodology based upon historical trends is no longer valid. Although university enrolments are increasing marginally, the growth rate has slowed down perceptibly. Substantial numbers of high school students are turning to other forms of post-secondary education — many going directly into the world of work. Some steps which have been taken by the Universities Grants Commission to clarify the enrolment trends and to make better use of our university resources are as follows.

(1) An expanded demand study undertaken in the secondary schools in an attempt to develop a more sensitive and accurate forecast of students who intend to enrol in post-secondary institutions and this has provided us with encouraging results.

(2) The Commission is developing a five-year plan in co-operation with the universities and St. Boniface College. It is anticipated that the plan will be such that it will be understood and agreed to by the government, the Commission and the institutions.

Honourable members will be aware that the professional schools and faculties are concentrated at the University of Manitoba, although there is an established Faculty of Education and the School of

Music at Brandon University along with teacher-training programs at the University of Winnipeg and St. Boniface College. In these faculties and in the Faculty of Graduate Studies, very extensive research is being conducted with the aid of grants which, in 1976-77, are estimated to be approximately \$12 million. These activities not only add to the extension of knowledge, the development of abilities in areas of competence for graduate students and the prestige of the universities but since most research grants come from sources outside the province, they represent very substantial additions to the economy of the province. Through the years, many research-oriented activities have been attracted to this province by reason of research developments on the campus of the University of Manitoba.

Honourable members will recall that no new major capital expenditure programs were approved in 1976-77. However, the library and gymnasium facilities for St. Boniface College, which had been previously committed, have been completed.

The government has announced the program of recognizing significant anniversaries of the three universities. In the case of the University of Manitoba, the Government of Manitoba will provide \$2 million if the University raises \$1 million toward its centennial projects.

At the University of Winnipeg, the government will provide \$1 million if the University raises \$500,000 toward a significant anniversary project whereas, at Brandon University, the government's offer is \$500,000 if \$250,000 is raised by it.

I referred earlier, Mr. Chairman, to the Manpower Division of my department as it related to negotiations with respect to the training schedule for the Community Colleges. Until this year, this division along with the Community Colleges Division shared the responsibility for the development of a multi-year plan for the colleges. This plan enabled the colleges and the central administrative structure, as well as the Manpower Division, to project for three years ahead where the college programming was likely going in order to provide perspective for the current year's operation. In addition, perspective was provided for the rest of the department and for the central agencies of government. In the restructuring, it has seemed desirable to transfer this responsibility and the staff to the Planning and Evaluation Section in the Community Colleges Division.

The Manpower Division is involved extensively in follow-up studies of students who have attended the colleges. These studies are useful as measures of past performance and as indicators of future directions.

Surveys of employment and of opinions of graduates with respect to the content and value of courses, provide data for the colleges to examine and assess their efficiency and utility to students. These studies reveal the satisfactory rate of employment in Manitoba of college graduates and the improvement in the status of those who were employed before taking retraining or upgrading courses in the colleges. Overall, 92 percent of the college graduates were labour force participants one year following their graduation. Of the eight percent of the graduates who were not in the labour force, 50 percent were in school or further training; 30 percent were keeping house full-time and the remaining 20 percent were not seeking work for various other reasons.

Average weekly earnings of those who were employed were \$184.23 in August 1976; \$216 per week for diploma course graduates and \$174.68 per week for certificate course graduates.

Of the graduates who were employed, 90 percent were working at jobs in Manitoba. As indicated by the graduates, 94 percent found their training to be related to their jobs and 98 percent of these individuals felt that their training was helpful to them in their jobs.

Section 5 in my Estimates deals with opportunities for human development. And this was an area that I had dealt with quite extensively on the Throne Speech Debate and will be going back to this item, because it is a very important one, and there are many programs within it. In fact, all programs of which we are extremely proud and which have gone a long way towards providing the underprivileged with a second chance, as it were, an opportunity to re-enter the labour force, and for many of them to enter the labour force to whom entry may have been denied for a variety of reasons.

All members are familiar with the student aid programs. Members will recall that last year we changed our practice and required all students entitled to assistance to borrow for their initial needs up to the maximum of the Canada Student Loans. We continued to assess their needs on the same basis as before and to indicate a balance of bursary loan support the same as in the past. Under the new scheme when a student has completed his study and is required to begin repayment of his Canada Student Loan we, the government, will then pay off the portion of the loan which would formerly have been granted as a bursary. This leaves the student with no more debt that he would have had under the previous arrangement.

All of our public post-secondary institutions in Manitoba, except for Keewatin Community College, are now involved in both initial editing and final issuing of student aid applications and awards. The results will be to speed up processing and, more important, to permit students to have immediate and meaningful contact about student assistance matters on their campuses.

During the past year a detailed assessment of the entire processing pattern has been carried out, which will result in certain streamlining of the application form for student aid as well as reducing



administrative costs.

The Youth Secretariat continues to provide opportunities for employment during the summer vacation for those students who apply for it. The activities carried on by the students vary widely but the large bulk of students are doing very useful and necessary work in the various departments and agencies of government through the STEP and government project.

Now the Youth Secretariat, Mr. Chairman, you'll recall was organized in 1970 and has provided policy direction in dealing with youth concerns and has provided an administrative base to government youth programs. The primary goal of the Youth Secretariate is to encourage and assist the youth of Manitoba in participating in the economic, social and political life of the province. Since its inception, the Youth Secretariat has concentrated much of its efforts on youth manpower and education.

In the field of youth employment, two examples illustrate the Youth Secretariat's operations in this area. The Manitoba Student Employment Program has the objective of employing secondary and post-secondary students for the summer months thereby helping to alleviate student unemployment, providing meaningful job experiences, and allowing students to save money to continue their studies. One component of the Manitoba Student Employment Program is STEP which employs students in Civil Service positions for the summer. The government departments benefit by using a student's wide range of skills, talents and enthusiasm to undertake special short-term projects in support of existing longer range goals.

The Employment Services Office is the central placement and referral operation for both the Civil Service and students. For programs such as STEP, the Employment Services Office co-ordinates all the hiring within the Civil Service and provides a central location for post-secondary and secondary students seeking summer employment within the Manitoba Government provincial departments and have access to a ready pool of talent for summer work.

It will take me, Mr. Chairman' if I may have leave of the House, about two or three minutes beyond the 4:30, to conclude my remarks.

**MR. SPEAKER:** Does the Honourable Minister have leave? (Agreed)

**MR. HANUSCHAK:** The Youth Secretariat also operates the High School Student Job Centres which are a placement, referral and counselling service for high school students and private sector employers. This year there will be eleven job centres throughout rural Manitoba combining education and employment.

The Work Study Program provides employment opportunities in provincial government departments, corporations or commissions for students requiring financial and academic assistance. Work Study is a direct response to the large number of high school students who drop out of school for economic and/or academic reasons. The program employs high school students who are referred to the program because of academic and financial needs as well as providing tutorial work in the student's problem subject. The tutoring is provided by recently certified Faculty of Education students.

Beyond their ongoing programs, the Youth Secretariat can muster a corps of students on short notice to meet emergency needs such as floods or insect infestation, as it has done in past years. A great many Manitoba communities have benefited from the Youth Secretariat Student Employment Program.

As I have indicated earlier, Mr. Chairman, I had spoken previously ' extensively in the Throne Speech Debate on the activities carried out by Special Projects and New Careers. I should add, though, that included in this year's Estimates are some funds which will allow Special Projects to establish co-operative programs with the community colleges along the lines used in the past for similar programs established at Brandon University and the University of Manitoba. This will allow disadvantaged persons who do not have all the normal academic prerequisites to pursue further training in both certificate and diploma courses offered at the colleges.

I should just like to say, again, how successful the New Careers Program has been in enabling seriously disadvantaged people to become established at an appropriate level in the work force.

In Community Education, we have gathered together those projects which centre on communities and are outside the regular institutions either at the colleges or at the universities. There is a small amount of money in these Estimates to extend the type of community education activity that has been carried on with so much success in the Parklands area. I wish to observe, Mr. Chairman, that the success of this particular program has in no small measure been obtained as a result of a lot of volunteer work by the members of the local and regional committees in the three centres in the Parklands region: Swan River, Roblin and Ste. Rose.

Finally, Mr. Chairman, there are the Inter-provincial Training Agreements where we are sending Manitoba students to other provinces for specialized training because it is more economical than to set up our own training. I have already indicated we are taking in students from other provinces into our programs. Veterinary Medicine, Dental Nursing and Optometry are the fields presently covered in Saskatchewan and Ontario for students from Manitoba.

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Mr. Chairman, that concludes my opening remarks in the introduction of the Estimates of my department and I indeed look forward to the contribution from honourable members from the opposition and hopefully, as the debate progresses, I'll attempt to answer whatever questions or respond to whatever concerns the honourable members may state.

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

PRIVATE MEMBERS' HOUR

ADJOURNED DEBATES — SECOND READING

**MR. SPEAKER:** The first item in Private Members' Hour is Bill (No. 24) second reading. The Honourable Member for Morris.

**MR. JORGENSON:** Stand.

**MR. SPEAKER:** Bill (No. 37), the Honourable Member for Morris.

**MR. JORGENSON:** Stand.

**MR. SPEAKER:** Bill (No. 38), the Honourable Member for La Verendrye.

**MR. BANMAN:** Stand, Mr. Speaker.

**BILL (NO. 55) - AN ACT FOR THE RELIEF OF ANNE MARIE MUMFORD**

**MR. AXWORTHY** presented Bill (No. 55), an Act for the Relief of Anne Marie Mumford, for second reading.

**MOTION presented.**

**MR. SPEAKER:** The Honourable Member for Fort Rouge.

**MR. AXWORTHY:** Thank you, Mr. Speaker. This bill is one that, in the general character, has appeared several times before in the Chamber. Certainly I have had an opportunity to introduce two others myself since I have been elected. It goes back to the, I guess, basic privilege of this House to exercise its own discretion and judgment in matters of special circumstance to allow someone to have their day in court. And the rights and privileges of this House in terms of dealing with something like this are to be exercised, I recognize, only in extraordinary circumstances or circumstances that warrant particular consideration. We do have a Statute of Limitations Act that does operate for the majority of cases to establish that where people who are in reasonable possession of the knowledge of what their rights are and their ability to exercise those rights then it is very clear that the Statute of Limitations Act is operative.

There is also under the Statute of Limitations Act, Part II' certain conditions set out, very strict technical considerations that instruct a court under those circumstances in which unusual circumstances should be allowed.

It should be noted, and I underline this, Mr. Speaker, because the point of debate on this bill will centre around this issue, that there has been no clear evidence in the body of law, both Canadian and British, concerning what constitutes those circumstances, particularly in questions where there is lack of knowledge or reasons for lack of knowledge. And cases citing all the way to the legal Lords of the British Privy Council, I believe, went to apply for a split trying to reconcile that particular matter. The reason for mentioning that, Mr. Speaker, is that in this case the child in question is in a situation where, through circumstances of no fault of her own, is subject to a life of continuing pain and difficulty, handicapped, and has no access to support and is simply wanting to petition for access to the courts to determine whether that should not be considered.

The circumstances, I think, are quite clear as to why this child' Anne Marie Mumford, who is now about age six and was not able to get access primarily because her mother who is single, who is an uneducated woman, totally unknowledgable and unsophisticated in the ways of the law, did not realize that she had access. In fact' to carry it one step further, according to the affidavits that have been filed, was of the feeling of being almost intimidated by it, a great concern even to get involved with government, afraid that the child would be taken away from her if she initiated any action of this kind.

And therefore, Mr. Speaker, within the two-year period that the child had obviously been subject to some very serious medical problems to a point where she has impairment of her mental facilities and certainly severe impairment of her limbs and still undergoes a great deal of treatment, there really is no financial support for her, and that any action dealing with negligence cannot be entered. It was only when a relative of this child informed the mother that there was recourse through the courts and it was brought to her attention and she sought out the assistance of a lawyer that action was initiated but it was already too late under the Statute of Limitations Act.

The issue was raised in the Manitoba court system, as probably stated under the law, and I think that the reason why the legal counsel decided to initiate that action was that it was proper for them to work through the court system first and not necessarily bring the petition to this Legislature in the first instance.

I think it is fair to say, Mr. Speaker, and I think members of the House should know that in this case the petition to the court went as far as the Manitoba Court of Appeal and a judgment was levelled against it. There was no grounds as to why although there was a fairly lengthy and extensive dissenting opinion given by the Chief Justice of the Court, Samuel Freedman. And Chief Justice Freedman in his dissenting report, I think, properly sets out the reasons and I'd like to, if I may, Mr.

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Speaker, quote these in the House because I think they are very pertinent. He says, "Applying the subjective tests, I am of the view that this simple, uneducated and unsophisticated mother dealt with the situation confronting her in a way that she thought best. Her inaction was, of course, unwise. But when we think of the kind of person she is her conduct becomes understandable. I would not deny her and the child their day in court."

Mr. Speaker, I am of the same opinion as the Chief Justice. I think that the reason for this petition is simply to ensure that the child has a day in court. I think it is quite obvious this particular bill does not deal with the merits of the case. It doesn't assign blame. We are not here as a body to determine whether there was negligence or whatever. It's simply to, through this bill, bring the matter to the attention of the court so that they can then determine whether the case would then be heard. I would indicate, Mr. Speaker, that this is not an automatic insurance that the case will be heard. The bill that I brought forward in this House last year, some of the members may remember, they got access to the courts and at that point the judges looked at it and they decided that it didn't warrant hearing. And I think that's fair, that's fine. But the fact is that we do have a discretion as a political body, as I'm often reminded by some members in this Chamber, to exercise that kind of judgment based not on strict technical legal grounds but on grounds and some degree of recognizing human frailties and weaknesses and problems which I suppose in some ways we may be better able to recognize because we are so subjected to them ourselves in so many ways.

The fact of the matter is, Mr. Speaker, now that I know that legal counsel representing those on which the claim would be made have submitted a fairly lengthy brief to some members and to myself. I am pleased that they did so because it gives me a chance to read it but I would suggest that there are certain statements made in this document which do not ring true, certainly to me.

First, that relief should not be given because it is already such a long time, that much of the evidence and witnesses and so on would have forgotten and it wouldn't be fair. Well, Mr. Speaker, I just read somewhere the other day that a major combines case took 12 years to bring to prosecution. Certainly our own Manitoba court system have a number of cases on record that take five, six, seven, eight, nine years sometimes to realize. So any suggestion that somehow this particular passage of time would wipe out any ability for the court to look at the issue, I'm surprised at such a statement by such an august group of legal counsel. They should know better, I think, from their own experience. In fact I'm sure the firm itself has been engaged in some of those long living cases.

The fact of the matter is, in that document, I think members should not be swayed by that particular argument because just does not hold true.

The other argument, which is perhaps a more serious one, Mr. Speaker, is the suggestion that the counsel for Miss Mumford did not pursue the matter to the Supreme Court and in asking why that was not undertaken, it was brought to my attention that the Supreme Court itself has begun to alter its own procedures for hearing cases and that the likelihood for the case not even being granted leave, because it was purely within the Manitoba law, was very high indeed and would have extended the time frame another year or two beyond what it is and therefore that the choices made, rather than going on to the Supreme Court and extending for another two or three years, that the matter would be brought to the Legislature and hopefully dealt with at this session so that the action could then be taken back to the Court of Queen's Bench for examination.

Mr. Speaker, I can only say that in this particular case the facts that would warrant, I would hope, the approval of this Chamber at least in giving it second reading, is simply that in the first instance this is a position of a child in this case who obviously, because of her age, is not responsible for her own actions, her own inaction in fact, and that therefore the petition is on behalf of the child for the action to be taken to court.

The second fact is that being in the care of her mother, her mother was a person who was not able to be fully cognizant of the rights that she had under the courts of this province and that not only did she not know, but was probably fearful of any action to be taken. And I suggest that members of this House know of people like that. They are probably in every constituency, people who are unknowing and fearful of the ways of the law and the ways of government and are easily intimidated and the sheer concern and fear that in fact the child may be taken away led to, obviously — it wasn't even a decision, because I don't think that the availability of the rights were not even known — but they weren't even sought out and the mother simply considered that it was best not to raise the issue with anybody at all. And it was only later through the introduction of some other advice that she felt somewhat more embolden to take the matter on.

I think, Mr. Speaker, that that fits the kind of area of discretion that can be exercised by this Legislature, that it does justify why even though a Statute of Limitations Act was passed, that we still retain a certain power and capacity to make decisions on individual cases such as these where the facts warrant it, where there are extenuating circumstances based more upon the human problems, not on the technical, legal problems. And I think that, again, to go back to this legal brief and suggest that simply because there is a Statute of Limitations Act, that the Legislature has no business getting involved, I think again is certainly contrary to my understanding as I read some of the debates

surrounding The Limitations Act, that the Legislature did reserve for itself the right to refer these matters to the courts when, in its own judgment and wisdom, it felt that there were circumstances that so justified.

So, Mr. Speaker, that is the case. I believe that the child is really in a position where she has not been able to seek out through the courts an adjudication of whether in fact negligence was involved and that therefore some compensation should be paid to enable her to deal for the rest of her life with some degree of support other than the minimum that she now has. That I think is that kind of extenuating circumstances. I certainly believe that it is within the rights and privileges of this House to decide upon those.

I would hope, Mr. Speaker, that members of this House would support the second reading of the bill and then feel free to invite the interested parties to appear before Committee to give their cases and to determine then whether in fact the full bill should be given third reading. If we can get it to Committee, then we can hear arguments on both sides and have a better opportunity.

My purpose this afternoon is at least to initiate the process, to take the first step. There are several other steps that can be also utilized to ensure that we are not overstepping our bounds, so I would ask members to support this particular bill on behalf of Anne Marie Mumford so that we can see if we can provide her with an opportunity to refer the matter to the courts and get some judgment in those courts as to the merits of her case.

**MR. SPEAKER:** The Honourable Member for St. Johns.

**MR. SAUL CHERNIACK:** I wonder if the honourable member would submit to a question. I do not understand fully the problem presented. As I understand it this matter, under the The Limitations of Actions Act, was brought to the court with the request that the time be extended and this was denied by the court. From reading the bill it seems to me that the honourable member is proposing that it go back to the same court for the same consideration. Am I wrong? Is there something different that is being asked to be done now than has already been done unsuccessfully?

**MR. AXWORTHY:** Mr. Speaker, in response to the question it is my understanding that the leave under which this matter was introduced into the courts is highly defined by the annexes to that bill and that they are based very much on legal grounds.

I think in this case the action of the Legislature provides another circuit and refers the matter to the bill to be determined whether, on the basis of fairness and equity, the matter should be heard. In other words what we establish in the Legislature is different grounds upon which the Judges of the Manitoba Court of Queen's Bench so decided, and I think that that really is a different set of criteria that are being applied in this case, than what the judges can under the terms of the Act as it is so written. So that what was happening, and I think, Mr. Speaker, in this case the Member for St. Johns would be more acquainted than I would, I am simply repeating the opinion given to me by legal counsel that I have consulted, and that is that there is a point in the Common Law which has been under some great dispute, both in this country and in Great Britain, concerning whether the question of knowledge or lack of knowledge is a grounds for extending the action into the courts.

Someone referred to me a judgment that was made by a group of Lords in the British Privy Council, an arcane world indeed, and the point is there it was a five to four decision as to whether they would agree that ignorance of the law was in fact proper grounds. Our courts have tended to interpret that in a very restricted way. So we are simply saying that by allowing this legislature we are not applying that grounds. We are saying the ignorance of the mother would be sufficient grounds for the case now to be referred to the court.

**MR. CHERNIACK:** Mr. Speaker, I suppose the prudent thing for me to do would be to adjourn debate and to study more and look at the background of bills such as this that we have had before through the years, but I guess I am not necessarily a prudent person. I prefer to react quickly by pointing out my problem in dealing with this bill' and the fact that I would like to be persuaded either way. I am going to try and keep an open mind, but I have really sincere problems about this.

Firstly, the Legislature has never, and I don't believe it ever could, give up its rights to deal with matters like this. And it is not as if the Legislature reserved to itself a right by passing the amendments to The Limitations of Actions Act but indeed whatever this Legislature can do, it can undo and vice versa. So I don't think that's the point at all.

The fact is that in my time we have had many bills of this kind to extend the limitation periods and usually they were moving reasons, emotional reasons. On occasion there were hard facts involved that The Limitations Act prevented being developed in court and we have always had serious problems about whether or not the principle of the limitations of action is right. At one time, I believe, we extended the period from one year to two years, thinking well, if there was oversight for just over a year, then let's make it two years. But we kept getting these applications and they were always, I believe, on an emotional basis. They were always based on the hardship to the individual adversely affected and usually this House went along with it and dealt with it in Committee where there were more emotional discussions which really would seem to indicate that maybe it would make more sense to have the limitations of actions removed entirely and therefore just go ahead. And whenever

there is that case of this inadequate evidence, then it would fail on that basis.

But the fact is, and I hate to refer to the fact that insurance companies have a tremendous stake in The Limitations of Actions Act because if they don't know that a matter is settled once and for all, they have got to keep reserves going endlessly for potential cases, and I assume the insurance premium payers will have to pay more and more money for building up these tremendous reserves which would really be justified unless they knew there was some form of finality. But more than that, I think it is important that the person being sued, the defendant, is entitled to know eventually that there is a finality. In this case it happens to be doctors.

I must indicate, Mr. Speaker, that I am, maybe because I am a professional, I am very sympathetic to the problem caused to a professional whose profession is more of an art than a skill, to feel that if the professional does his best, and if the professional is not guilty of gross negligence or serious negligence, I don't even want to use the word gross because a professional does the best he can, to say that these doctors, whoever they are, shall continue to be in jeopardy endlessly, I suppose is, I think, kind of a hardship on that kind of a person unless it can be proven that there was really an inexcusable error on the part of the hospitals or the professional.

Mr. Speaker, we had so many of these bills and I think that the whole House or most of the members of the Legislature felt so uncomfortable in dealing with matters that were of a technical nature, in dealing with matters that should be in the atmosphere of the courts under examination, cross-examination, judicial review, that we hit on what I thought was a very good manner in which it would be dealt, that is, reference to the courts telling the courts, "You make the decision whether there are such factors, such extenuating circumstances which would justify a change in the law, an alleviation of the law by extending the time limit to enable the matter to come to court." And as I recall it, the first time we did something like this, the judge said, "Well, they must have wanted us to extend the time because otherwise why would they have passed the Act." And therefore the time was granted, without the judge, as I recall, going in very deeply into the question of the adverse effects on the defendants as well as the beneficial effects to the plaintiff.

As I recall it, we then went in more extensively into trying to review the various reasons that could be considered as extenuating circumstances and we then found, in my recollection, that it was necessary to spell out for the courts what it is the Legislature is looking for, not an "Open Sesame" and I mean that literally, I suppose, use the magic word and the matter is back in court, but really to spell out the kind of consideration that ought to be given. Having done that, I thought and other members must have thought, that we had therefore removed from the judgment of this body what is really a very technical type of decision and put it into, to repeat myself, an atmosphere of the courtroom where there would be a more judicial approach to the problem presented. I think probably, from the last few years as evidenced, that we succeeded in removing this kind of decision from what we obviously felt was not the right place, and that is the Committee Chambers into the courts.

But in this case it went to the court. The court found against the plaintiff. It was appealed and I will not hesitate to say that the opinion of the Chief Justice is one which I do not like to treat lightly. If he is in the minority I often suspect that he may yet be right and I think his record may show that when there have been appeals from decision or decisions his of which he has participated, on many occasions it was found that where he was a dissenter, it became the opinion of the court superior to his.

I do respect very much his opinion and his opinion here was that the plaintiff be allowed to proceed. But the fact is that he was in the minority and unless we are prepared to decide that minorities shall govern, then really, although I respect the Chief Justice's opinion, I am not prepared to substitute his opinion for that of the process in the court. Therefore, I would have to say that it is not reason enough that he thinks that the extenuating circumstances were such as to extend the time. Three judges thought it wasn't.

But, Mr. Speaker, what is now being proposed is; forget about those reasons in The Limitations Act, ignore the fact that the Legislature had spelled out what it considered should be the circumstances reviewed, and leave it again wide open to the discretion of a judge, any judge, his discretion as to whether or not the plaintiff should be allowed to proceed. In this proposal we are being asked to ignore the fact that a Court of Queen's Bench and then the Court of Appeal ruled against the plaintiff or the applicant, the petitioner in this motion. Now because they ruled against it we should permit it to go back into court with new rules, a new ball game, in effect, let's drop the reasons which this Legislature had set out ought to be the reasons to be considered and now leave it to the wide open discretion of the court. I must say that I would have been much more comfortable had the member brought in a bill, amending The Limitations of Actions Act and removing those reasons which are to be considered by the courts. Then it would say that there's no special pleading for a special case, but rather that the law is wrong, let's change the law.

But what is being asked here is not a change in the law but a change in the law as it shall apply to this one petitioner. And from what I read, and it so happens that — Well, I don't think all of us — I was

one of those who was favoured with a copy of a brief being presented, or which will be presented, on behalf of the respondents to this motion, which was distributed to all parties, I see, but not to all members. The facts are presented in this brief and very much as they were presented by the member who moved the bill, and I can see good emotional reasons for sympathy. But I do not see a rational reason for having this case proceed because the member said it would be important and well for compensation to be paid. That's not really what the purpose of this bill is. It's not to provide compensation. It is to provide a new hearing by a judge, and presumably a different judge, as to whether or not the case should be proceeded with.

Well I must say that so far it seems to me there's a weak case that's been presented on behalf of the petitioner. And I'm very concerned about that because one hates, one really hates to vote against an opportunity for a person for a new hearing. But Mr. Speaker, there comes a time when you have to stop and say all avenues have been explored. And the fact is that all avenues provided by this Legislature to date, were explored in this case. There was a suggestion apparently that this matter could have gone to the Supreme Court and didn't. But in any event, all avenues were explored.

So then the proposal has come back to the same Legislature and asked them to open up new avenues for this particular case. I am concerned both ways, Mr. Speaker. I'd like to hear more argument on this. If I can't hear it in this House, I suppose I'd like to hear it in Committee, but I find it difficult to vote in favour of hearing in Committee what I can't hear in this House, because a proper argument has to be presented for the Legislature to go ahead with second reading. We should not be used as a sort of a device in which to accomplish something which could not otherwise be accomplished. And I don't think that we ought automatically to vote for a second hearing to put matters into Committee because the fact is we are being asked to agree in principle with this bill. And as of this stage, I'm having difficulty in agreeing in principle to enabling a person to go back in court again.

Therefore, Mr. Speaker, I chose to speak now at the beginning of the debate because I'm sure this matter will be adjourned and there will be other speakers. I'm hoping that others will develop the argument which will help me to decide because I'm not bound to decide until I actually hear the rebuttal, if necessary. And I want to hear it because I wouldn't like to think that the vote will be a straight emotional one. Here's a person in difficulty, so let's open the doors. If we do, again we're going to have to open the doors for every other case where there's a plea of an emotional nature, which actually —(Interjection)— Pardon?

**MR. SPEAKER:** The Honourable Member for Fort Rouge.

**MR. AXWORTHY:** Mr. Speaker, I wonder if the member would submit to a question. Is he aware that the issue is not on an emotional basis, but on a basis that the courts presently do not accept as a criteria for extension ignorance of the law, and that that is the issue that the person involved was ignorant of the law and that this is not a ground that is accepted by the courts, and therefore that is the reason why it is brought in this Legislature.

**MR. CHERNIACK:** Mr. Speaker, if indeed that is the case, that ignorance of the law will permit a person to have a reason to go back to court, that's a principle which is so broad and so all encompassing that it rather frightens me to think that people pleading ignorance of the law can exclude themselves from the operations of the law. So, that's a very very important principle that the honourable member is suggesting that we set aside. And if, indeed, that was the intent, then by all means we ought to have a bill here to amend The Limitations of Action Act to provide that ignorance of the law may be a reason for extenuating circumstances. That would be a lot more fair and would be discussed on a different basis.

So I can't quite accept the fact that that is the principle that's being proposed. I really would like to hear more as to whether that really is the reason, that ignorance of the law shall be a means of doing it. I didn't read that into the . . . but mind you, I read the brief on the other side, at the same time I listened to the honourable member who proposed the bill. I did not read ignorance of the law except to the extent that it is stated that she thought that the child would be taken away from her if she went to court. But other than that, The Limitations of Actions Act, which I did have in my hand earlier and has passed through a few hands since then, that really ignorance of the fact that there is a time limitation is indeed a proper reason. There is no question in my mind about that' that that is the main reason that there is that opportunity.

So I have to tell the honourable member I'm not sure yet. I want to hear more about this because I think it's always a serious step when we either agree or disagree with a bill of this nature. I am looking forward to more debate and more argument and possibly that will help us to arrive in a decision on this bill.

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

**MR. GRAHAM:** Thank you, Mr. Speaker. I have listened to the words of the Member for St. Johns and I have to say, Mr. Speaker, that on more than one occasion in this Chamber I have had a great deal of difficulty in accepting his point of view. In this particular case though, Mr. Speaker, I find that I

am basically in agreement with the Member for St. Johns, because I believe the Member for St. Johns is espousing a case that I have endorsed in this House in the past, and that is basically that we have in this province a Statute of Limitations Act which we have amended from time to time. In fact, I think it was just last year we amended it once more. And if the limitations that are in that Act are considered to be unfair by society, then I think we should change them. But so far, there has not been an indication. And I think that legislators in their wisdom, when they set up the Statute of Limitations, considered very carefully how long a person should be given in particular circumstances. I know the Statute of Limitations isn't a constant factor. It does change with certain subjects, sometimes it's six years, sometimes it's two years, depending on what the various factors are. However, if what the member tells me is true, then I would have to say that I would have to be basically in agreement with the Member.

Now, I also have to say this, the person who has introduced this bill, if he considered the case to be that serious and that important, then I think he would have taken all necessary steps to apprise every member of the Legislature of the gravity of the situation that existed here. I think he would have approached every member of this House almost individually, but that, Sir, to my knowledge he has not done. He has brought forward a case and laid it on the floor of this Legislature for our perusal. — (Interjection)— I don't know. I would think that if I had brought in a Private Members' Bill that I would do much as the Member for LaVerendry has done and do extensive homework with his bill. So, Mr. Speaker, I'm just voicing my own personal viewpoint here. I am not basically supporting this Bill at this time.

**MR. SPEAKER:** The Honourable Member for Assiniboia.

**MR. PATRICK:** Mr. Speaker, I will be very brief, because I'm not aware of all the facts, probably not to the extent my colleague from Fort Rouge is who introduced the Bill. I have listened to the debate quite carefully and listened to what the Member for Birtle - Russell had to say and what the Member for St. Johns had to say, and I can also indicate to the House that it's true, that we had these Bills before this House for the past fifteen years that I've been here. But to indicate by any member in this House that if we allow this one to go through we will be inundated with hundreds of bills, that's not true, Mr. Speaker. It's just not true. Because in the last fifteen years, how many Bills of this nature did we have before this House? Very few, perhaps one or two a year and there were probably some years we didn't have any. So to say that we'll be inundated with this type of bill because we allow one to go through, I don't think that that's an argument at all, because it's not.

I'm sure the members will remember quite well that some 12 years ago that we had some debate that continued for weeks on a very serious matter of a person that suffered great hardship and not only this person did because of an operation. Apparently a swab was left in her after an operation, and not only this person suffered great pain, suffered also mentally, financially and every other way, which almost took everything that that family had in their possession to pay the medical bills at that time.

And the debates at that time that took place in this House were not like they were today. It seemed that everybody locked on one side and even at that time there were half the members saying, no way, under no circumstance we should allow this to go through. I couldn't believe it because we're not making a judgment in any case. We're not making a judgment on anyone. All we saying is, we'll let the courts decide if the limitations of time should be extended. At that time that case was quite serious. It involved, I understand, quite a few doctors. It involved an insurance company where the doctors had their insurance and I can't see why at that time we got so concerned, and this concern at that time for all of us in the House should have been who the bill was trying to remedy. The same thing happened. In fact, I'm sure, that some of the lawyers in this House may agree there were times when many of these claims resulted as an automobile accident. I know there are some people sat on a case, they thought it wasn't too strong and there wasn't perhaps much financial return and automatically the time expired. Not perhaps by design, but even some did on purpose. I can say, and I'm sure the honourable member knows that that's correct, because I had it told to me.

**MR. SPEAKER:** The Honourable Minister of Mines.

**MR. GREEN:** I wonder if the honourable member has just had distributed to him Bill 58, An Act for the Relief of Peter Martens.

**MR. PATRICK:** Well that's sneaking up another bill, Mr. Speaker. But what I'm trying to say is that there isn't that many each year. Perhaps maybe there's three this year but normally there's not more than one or two bills per year. That's what I'm suggesting and I'm sure that the Minister of Mines and Natural Resources will agree that there have been one or two, in some cases of a nature that were not quite serious and perhaps that we shouldn't have got that concerned, but this one, as I recollect, was the one that debate took place here some 12 years ago and the debates went on for almost two months at that time. The debates were of a nature that were quite bitter. Everybody took the position — and I may say at that time the lawyers took a position that under no circumstances we should allow that limitation to extend. Everybody else, or most of the other people took the other position. I know the Leader of the Official Opposition recollects at that time what took place, and eventually after



about two months of debate because at that time that case was extremely serious and it appeared that the bill just may go to second reading. I believe the whole situation was settled out of court with the clients and I think if that could have been settled up perhaps eight years earlier or six years earlier the family wouldn't have suffered the financial difficulties they did. Because I'm telling the members at that time the person involved was a constituent of mine, lived not too far in pretty good circumstances, in a good home and so on and they lost almost everything.

In this case I would say that the situation here is almost the same where the patient did undergo an operation and I understand is a quadriplegic, so it is a serious situation. As I say, we're not making a judgment on anything. All we're saying is, let it go back to the judge and let him decide and perhaps in this case it will be a different judge and if that's what takes place, I think we'd be doing the right thing and we're not making any decision as to what should happen. But I think by sending it to committee, passing it in second reading, we could have the representation, we could have the legal people and question them and if we feel that if the Bill doesn't warrant third reading then I think we should vote against it. I may be the one too, as well that will vote against it after we hear the representations in Committee, but I do feel we should allow this to go to Committee.

**MR. SPEAKER:** The Honourable Minister for Mines and Environmental Management.

**MR. GREEN:** Mr. Speaker, the Honourable Member for Assiniboia has had a longer Legislative experience than I have and I will say that I respect his judgment and there are many things upon which probably I would agree with him and some upon which I would disagree. I have to tell honourable members that I have never voted for one of these Bills, never. I also have to tell honourable members that I don't think I have ever been on the winning side on one of these issues, which, Mr. Speaker, incidentally in my mind, in my peculiar way of reasoning, proves that I am right and the others are wrong. Because, if every single one of these comes to the Legislature and goes through then there is an indication that the present law is not correct. And the Member for Fort Rouge should pay very close attention to what he is doing, because he is a man who believes that you can solve things by legislation, and that if we only had some law setting out how things should happen then this will remove the difficulties and remove the uncertainties. Well, Mr. Speaker, interestingly enough it's the legislatures that have legislation and legislators that have confused this situation.

Probably as the Member for St. Johns has indicated, for the benefit of some particular interest group, because there always was a law, and I know that the term used in legal parliaments in the common law was "laches," which means that a suit cannot proceed if there is delay to the extent that it would be unreasonable to expect that a trial of the issue could take place. Under the common law a judge would hear a case or not hear a case, not based on any Statute of Limitation, but on the basis of whether the case should or should not be heard. Given the circumstances, given the question of evidence, if there was a plea of laches or delay then the judge could take into consideration as to whether there could be a reasonable trial and could dismiss the case. So then a bunch of elected people got into a legislature, and they said, "We could improve on the judges. We could provide a limit and say that after that limit no cases will be heard." Then everybody will be certain and there will be a law certain which will deal with all of the cases and it will be a law which one could go to a book and find what his rights are. And, of course, once that law is there and somebody's case is dismissed, then we have somebody coming into the Legislature and making a perfectly good appeal on the inequity of the law, on the inequity of the problem as it affects that particular person and the legislators will deal with it.

In my short period in the House — and perhaps the Member for Assiniboia's longer period — when I say "short", I guess in politics everything is relative, it depends on who is sitting and who wants them there or doesn't want them there — but the fact is, I say "short" which shows what my perspective is. We have passed every one of these bills and we even passed a statute which is going to relieve the necessity of passing these bills. Last year we had bills, the year before we had bills and this year we have bills. I say, Mr. Speaker, that knowing what we are doing, knowing what we are doing and by looking at our own conduct and by knowing that we cannot resist it when somebody comes in and tells a sad story about somebody who made a mistake, somebody didn't have a trial, and all we want is just to consider it, we're not asking them to decide the case, we're not asking them to award damages, all we want them to do is have their day in court. Why don't we have such a law for all of the citizens of the Province of Manitoba? —(Interjection)— Well, the honourable member says, "Go ahead."

Mr. Speaker, perhaps, perhaps it would be a governmental responsibility although the honourable member hasn't always waited for the government. He is now introducing a law for one person and it is just as easy to introduce a bill saying that it will apply to all of the citizens of Manitoba and I can tell the honourable member that that's really my reason against it. Legislative control. That when you have legislative control and you say it applies to everybody, then I say that it should apply to everybody and once you have controls that apply to everybody, there is going to be injustices and people are going to have to sit here and say that we're not going to be able to consider everybody's individual case because, if we do that, then what happens is that those people who have influence and pull and privilege will get those controls undone and the rest of the people will be bound by the

controls. And really ' that has been my traditional argument against legislative positions of all kinds. Mr. Speaker, it has never been proved more correct than by the fact that I say I have voted against these bills every time they have come to the Legislature and they have passed every time they have come to the Legislature and each time we say that we are making an exception to the rule. Has there ever been an exception to the rule of passing one of these bills? I don't remember one. Perhaps I am wrong. I mean, I am not going to vouch for my memory in this respect but I don't remember of denying one of these bills.

Mr. Speaker, as long as the law exists and I say that there is argument for and against it and we have tried to change it, to make it different, I can't vote for one of these bills. I can tell the honourable member that the one thing that he said that had some impression on me. The one thing was that this was an infant and usually I am involved in a case where adults have let their own rights expire. Here we have a case where the persons legally responsible for the upbringing of persons, *in loco parentis* or the parents have let that person's rights expire and it makes it a little more difficult and yet, that is one of the facts that takes place every day in our society. I suppose that some parents let their children's rights expire and some don't and we have not found a substitute except by where there is a case of a parents not being there any more and a person being in the hands of a lawful guardian or a person being in the hands of neglected parents and taken away from them but, in the last analysis' we protect infants through parents and I am not about to say at the moment, standing here, that that should be changed.

So, that being the case, Mr. Speaker, I cannot find myself legislating for one person in the Province of Manitoba. I don't know how many similar cases existed where the people looked at the law and said, "I cannot do anything," and had those rights expire, where this person is going to get something that we, the legislators, have told everybody else they cannot have. The honourable member says to me, "Well, every one of them had a right to make an application through the Legislature to get the limitation period wiped out." Well, Mr. Speaker, that is not sound reasoning because that is not what is intended by a Statute of Limitation which says that a right will expire after a certain period of time. So I, with the greatest of sympathy for the individuals involved and it happens in many instances, and here it is compounded . . . The problem is compounded because the special rule that we passed was designed to say that we will never have to deal with these types of cases again. I rather suspect, Mr. Speaker, that when we passed that special rule which said that we wouldn't have to deal with these types of cases again, even I, with my immodest thinking, can foresee that that's not going to happen. I probably thought yes, we probably won't have to deal with them anymore. But here is a case that went through the entire process and we have not moved one step ahead on the basis of the fact that when a Statute of Limitations expires, people can come in and make a case for the fact that we should undo the law.

If we are going to undo it for one, Mr. Speaker, then I say that the law that was administered by the judges before the legislators got their hands on it, was a better law than we've got now. That was the law that said that a judge could dismiss a case for delay. He could do it for delay in the process in other words . . . And by the way it happens and in my own legal experience, where a case will be dismissed for want of prosecution on the basis that the plaintiff hasn't moved it along quickly enough or it can be dismissed if it is brought too late on the grounds of what is referred to in the law, under the common law as laches.

I can't, Mr. Speaker, see any justification for legislating for one individual. Having said that, I know that this Legislature has done it on numerous occasions and if the vote goes as it has consistently gone, then this bill will be passed but I can't support it.

**MR. SPEAKER:** The Honourable Member for Logan.

**MR. JENKINS:** I wonder if we could call it 5:30. I move, seconded by the Honourable Member for Point Douglas, that the debate be adjourned.

**MOTION presented and carried.**

**MR. SPEAKER:** The hour being 5:30, I am now going to leave the Chair. The House is recessed for the supper hour and will reconvene again at 8 p.m. in Committee of Supply.