

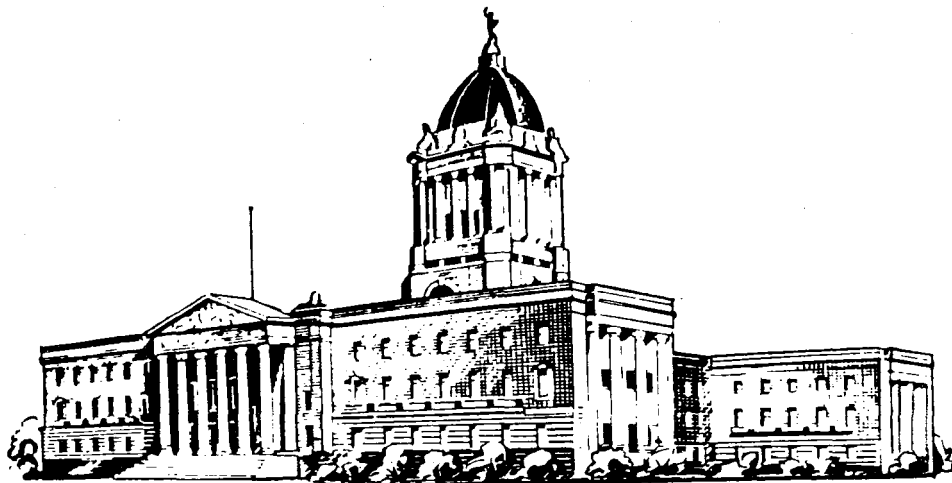


Legislative Assembly of Manitoba

DEBATES
and
PROCEEDINGS

Speaker

The Honourable Peter Fox



Vol. XVIII No. 31 10:00 a.m., Friday, May 7th, 1971. Third Session, 29th Legislature.

THE LEGISLATIVE ASSEMBLY OF MANITOBA

10:00 o'clock, Friday, May 7, 1971

Opening Prayer by Mr. Speaker.

MR. SPEAKER: Presenting Petitions; Reading and Receiving Petitions.

REPORTS BY STANDING AND SPECIAL COMMITTEES

MR. SPEAKER: The Honourable Member for The Pas.

MR. RON McBRYDE (The Pas): Mr. Speaker, I beg to present the report of the Standing Committee on Municipal Affairs.

MR. CLERK: Your Standing Committee on Municipal Affairs begs leave to present the following as their report:

Your Standing Committee of the Legislature on Municipal Affairs was appointed on the sixteenth day of April, 1970 at the Second Session of the 29th Legislature.

On the sixteenth day of July, 1970, your Committee consisting of Hon. Messrs. Green Miller, Pawley, Messrs. Barkman, Boyce, Fox, Hardy, Henderson, Jenkins, Johannson, Johnston (Sturgeon Creek), McGill, Moug, Patrick, Shafransky, Mrs. Trueman, Messrs. Turnbull and Uruski was authorized by a resolution of the House to sit during the session, recess or after prorogation and to report at this session of the Legislature.

By the same resolution the Committee was authorized to examine the Bills and matters referred to it.

The following Bills were referred to the Committee for study and report:

Bill No. 7 - The Municipal Assessment Act - July 31, 1970

Bill No. 102 - The Beverage Container Refund Act - July 31, 1970

Bill No. 135 - An Act to Repeal An Act to validate and confirm a Certain Agreement between the Town of Dauphin and the Rural Municipality of Dauphin - July 7, 1970

Bill No. 148 - The Municipal Tax Deferral Act - July 7, 1970

The following matters were also referred to the Committee:

1. The subject matter of the adoption of the National Building Code for Manitoba - Resolution passed August 13, 1970

2. The problem of controlling litter for study and recommendations - Resolution passed August 13, 1970

Your Committee met on: Monday, November 9, 1970 at Winnipeg
Monday, November 30, 1970 at Brandon
Tuesday, December 1, 1970 at Dauphin
Monday, December 7, 1970 at Winnipeg
Tuesday, December 8, 1970 at Winnipeg
Thursday, January 7, 1971 at Winnipeg
Tuesday, March 9, 1971 at Winnipeg
Thursday, March 18, 1971 at Winnipeg
Friday, March 19, 1971 at Winnipeg

Several briefs were submitted on the subject matter of Bills No. 7, No. 102, No. 135, and No. 148, introduced at the last session, and also with respect to the resolutions dealing with subject matter of the problem of controlling litter and the adoption of the National Building Code for Manitoba.

Your Committee having considered these briefs and studied the above mentioned Bills and resolutions recommends:

1. That with respect to Cable Television, the proposed taxation recommended in the proposed amendment of Bill No. 7 - The Municipal Assessment Act be implemented in principle, recognizing that it may be necessary to examine the details of implementation.

2. That Bill No. 148 - The Municipal Tax Deferral Act be implemented in principle but with some possible changes in detail.

3. That the proposed amendment of Bill No. 7 - The Municipal Assessment Act, dealing with agricultural business removing corporate non-family farms from the provisions exempting farm buildings, be approved in principle.

4. That with respect to Assessment of Leasehold Interests in Land within Indian Reserves, the leasehold interest be exempt in all cases where it relates to a farming operation.

5. That The Municipal Assessment Act be amended whereby provisions should be made

(MR. CLERK, cont'd.) for Councils of Municipalities included in a school division to establish a joint Court of Revision if they so wish.

6. That re-assessment under The Municipal Assessment Act shall be carried out not less frequently than once every five years.

7. That with respect to The Municipal Assessment Act all family farmers with build-ings on land five acres or more receive building exemptions in the same manner as those farmers with forty acres or more receive exemptions.

8. That licence fees on mobile homes collected by municipalities be taken into account for school purposes. The amount of the licence fee to be left with the municipalities.

9. That with respect to the National Building Code, the adoption of the Code be approved in principle. That the Minister will convene a technical committee to include experts from the groups that made submissions, to discuss details related to variations, area of application, etc.

That implications of adopting a code for mobile homes to be examined by this technical group.

That emphasis be placed on supplement #5 - provisions for handicapped people.

10. That the Resolution of Mr. Turnbull regarding litter control be referred back to the Committee for study.

11. That Bill No. 102 - The Beverage Container Refund Act be not proceeded with and be referred back to the Committee for further study.

12. That Bill No. 135 - An Act to Repeal An Act to validate and confirm a Certain Agreement between the Town of Dauphin and the Rural Municipality of Dauphin be not proceeded with.

All of which is respectfully submitted.

MR. SPEAKER: Adjourned debate on the proposed motion of the Honourable Member for St. -- Oh, I'm sorry. The Honourable Member for The Pas.

MR. McBRYDE: Mr. Speaker, I beg to move, seconded by the Honourable Member for Logan, that the report of the committee be received.

MR. SPEAKER presented the motion.

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

MR. HARRY E. GRAHAM (Birtle-Russell): Mr. Speaker, I beg to move, seconded by the Honourable Member for Sturgeon Creek, that debate be adjourned.

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

MR. SPEAKER: On the proposed motion of the Honourable Member for St. Boniface. The Honourable Member for Riel.

MR. DONALD W. CRAIK (Riel): Mr. Speaker, I'd like to speak briefly on the presenta-tion of this report and I'm sorry that the chairman of the committee who presented the report, the Member for St. Boniface, isn't here this morning, so I think that this -- I don't wish to hold it up any longer.

This committee has had a long history that began probably about four years ago and went through two sessions with the former government and now has gone through a couple of sessions with the present government, and to date we haven't really produced anything - and when I say "we", I think I've been a member of the committee for most of the time as some others have been, although the membership has rotated over that period of time.

The basic problem, Mr. Speaker, I don't wish to lay with the government or members that have been on the committee; I think that the problem lies in the fact that the topic which the committee has tried to tackle is such a large one, and the committee is also so large, that between the two, the combination of the two and the lack of time that is allowed for it, that the committee never seems able to get down to grips with the actual problems involved.

We have before us the bill presented by the Member for Winnipeg Centre which would see a move made that is actually not in keeping with the responsibility of the committee. I think the fact that the committee has wrestled with this thing for over a year and not come up with an answer is symbolic of the lack of effectiveness of the committee. We are at the present time in the position of the committee, through the Attorney-General having asked a number, quite a number of academic people from the universities to set up one of their committees to examine this whole area of professional associations as well, so we do have the legislative com-mittee and then we have a committee set up by that legislative committee of university people looking at it as well.

I think, Mr. Speaker, with all due respect, that the university committee faces two

(MR. CRAIK, cont'd.) problems. One of them is the same as the legislative committee, that is it is a very large committee and will have considerable difficulty arriving at an answer in the near future. The second problem that the university committee will have is that it's doubtful whether an academic group should have any more than a part of an input into the question at hand, and I would suggest that we should probably be looking at a different setup in order to get the answers they need.

Now with these background remarks, Mr. Speaker, I think that before the committee is reconstituted by the government, or by the committee that establishes committees, would the government give consideration to taking a different attack on the problem. I doubt very much, regardless of who the committee is or what its intentions are now, that one year from now that we'll have any very different results than we have achieved over the recent years.

So I would suggest that the government give some serious thought to setting up an investigation similar to what was done in Ontario, probably not quite as far reaching, where a royal commission was formed to look into this area along with a number of others under the general category of civil rights, and short of a royal commission on it that they at least consider a task force to look at it, accompanied by a smaller legislative committee that can get down to grips with the problems at hand, because I fear, Mr. Speaker, that to carry on our present course, just re-establish the committee again, is not going to yield the results and would be a fruitless effort for us to pursue in the coming year.

MR. SPEAKER: The Honourable Member for Rhineland.

MR. JACOB M. FROESE (Rhineland): Mr. Speaker, I beg to move, seconded by the Honourable Member for Portage, that debate be ajourned.

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

INTRODUCTION OF GUESTS

MR. SPEAKER: Before we proceed, I should like to direct the attention of the honourable members to the gallery where there are 34 students, Senior 12 standing of the Wood Lake School, Minnesota, United States. These students are under the direction of Mr. and Mrs. Davis and Mr. and Mrs. Hagelstrom. We also have 57 students, Grades 5 and 6 of the Sir John Franklin School. These students are under the direction of Mr. Gawrychynsky and Mrs. Sundberg. This school is located in the constituency of the Honourable Member for Charleswood.

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

REPORTS BY STANDING AND SPECIAL COMMITTEES (Cont'd.)

MR. SPEAKER: On the proposed motion of the Honourable Member for Radisson. The Honourable Member for Rock Lake.

MR. HARRY J. EINARSON (Rock Lake): Mr. Speaker, I rise as one of the first ones on this side of the House to reply to the report of the Agricultural Committee. I want to say that it was a pleasure for me to have the opportunity for the past number of months during this past winter to listen to many farmers, many farm organizations as individuals and groups, to listen and hear the many problems that they had insofar as they were concerned as farmers and the agricultural industry in general.

First of all, I want to refer to the report and deal with them step by step, certain aspects of this report. The first one was the -- we were appointed to investigate and report on all aspects of farmer-dealer relationships and company dealer relationships which have a bearing upon the sale and use of farm machinery and repair parts in Manitoba. On this particular point, Mr. Speaker, we did hear a number of cases whereby farmers did have problems through their dealer and in turn relating to the company which they dealt with.

One of the areas that I want to comment on, Mr. Speaker, is the fact that when a farmer goes to buy a new piece of machinery, a contract is drawn up between the dealer and the purchaser and sometimes the wording of this contract is rather complicated -- and I can appreciate this fact because, Mr. Speaker, when we have legislation or bills brought before us, sometimes it requires a lawyer to decipher just exactly what the meaning is. Yes, and as my colleague here said, and then they're not altogether too sure of it. So I would like to commend to the Minister when he is considering changing of the Implement Act that it is simplified to a degree where a farmer and dealer can have a better understanding of what they are signing, because I think this is one area where many problems have been the result of the fact that they just weren't understood.

(MR. EINARSON, cont'd.)

There's another area too where I think that we have to be very concerned about the machinery dealers in the Province of Manitoba and what is happening to them. I know I have a few in my own constituency who are declaring and have declared bankruptcy because of the economic situation within the agricultural industry and with the conditions that have been laid down that they've had to abide by insofar as the agreement between themselves and their companies are concerned; and I think if we're going to assist the farmers through the legislation that is applied here insofar as it affects dealer relationship with the farmer, something has to be done to prevent the things that are happening today. That is the one area that I want to stress upon the Minister and his colleagues in government, as they are given us to understand that something will be done along those lines.

Now, Mr. Speaker, as I go on down the report, we did meet on 18 different occasions from Friday, October 10th right through to Tuesday, April 6 -- Friday, October 10th, pardon me, 1970 through to Tuesday, April 6, 1971, and during those series of meetings we also had many reports on the Federal Task Force. In dealing with this matter, I can't say that I became more concerned over anything than I did over this particular matter, because farmers in this province are very concerned about the legislation that is going on in the House of Commons. They are bringing forth legislation and they've had hearings, a number of them through the Federal Task Force - that is the committee established - and I know many farmers are saying to me that with all the hearings that they are holding, they're wondering just how much value there is in the presentations they make to their committee. They're wondering just how much value it's going to be to them, because after all this is democracy, at least we hope it is, and the suggestions that they make to the committee, that they would take those reports back and if the legislation that is presented at the present time were not satisfactory that they would make some adjustments accordingly to what the reports that they were given.

There's another area insofar as the federal legislation is concerned and that's Bill C-176, and this, Mr. Speaker, has had I think more publicity than any farm legislation over the many years because of its effect on our agricultural industry insofar as western Canada is concerned, in our prairie provinces. And I want to say at this point, Mr. Speaker, that we arrived at a time in our hearings last winter when an announcement was made by the Minister of Industry and Commerce in regards to, shall I say, AGRA business or a particular industry, namely Ogilvie Labatts, and this announcement and the furore that it created amongst farmers, particularly those who are in the production of hogs. Now, I'm not going to go into this particular matter at this time, Mr. Speaker, in detail because I'm hoping that some of my other colleagues are going to make some comments on various aspects of this report. But I do want to say that I felt that there seemed to be a turning point in our hearings at this time, that somehow we had two different versions being presented to us because of this particular announcement, and this concerned me very very much, Mr. Speaker, because I think it threw the purpose of our committee out of perspective and the real meaning of which it was intended.

Insofar as the report is concerned on the marketing of hogs, I want to say, Mr. Speaker, that there was one area or one clause of the report that our party was opposed to, and that is that the marketing of hogs produced in Manitoba through the Manitoba Hog Marketing Commission be made compulsory. Now, I'm not altogether certain, Mr. Speaker, and I don't know whether the Minister is satisfied in his own mind as to just how the producers of hogs in the Province of Manitoba really feel on this particular matter. How far can you go insofar as compulsion is concerned? This, Mr. Speaker, I think is a point that is very important and very valid. I feel that if we're going to make anything compulsory, that those people concerned should have the opportunity to express themselves, firstly through a referendum, and then if the referendum or the results of the referendum are such that they request it in the affirmative, then I have no objections to making your hog marketing system, as such, totally compulsory.

But I want to emphasize and repeat, Mr. Speaker, that this is one clause of the report that I am opposed to at this time. You know, when we talk about compulsion, I become concerned because there are so many other areas in the society in which we live today in which this government has become involved in, that they're saying to people that you must do this and you must do that, and people are now starting to ask me just how far are we going; how much freedom are we going to have left insofar as making some personal decisions are concerned. And I think, Mr. Speaker, this is very very important when we're considering legislation, whether it be in the nature of our agricultural industry or any other area of our society.

(MR. EINARSON, cont'd.)

There's one other area that I would like to discuss briefly on too, Mr. Speaker, and that is the development of our rural communities. As I understand it, the Federal Government is talking about doing away with at least one out of every three farmers, that one out of every three farmers in the prairie provinces have to go. This is the attitude that they take insofar as solving our economic problems are concerned. Or maybe, as the Honourable Member for Rhineland says, it could be two out of three. Well, if that be the case, Mr. Speaker, this is really devastating to our agricultural industry. I have said publicly, and I want to make it abundantly clear to the farmers of Manitoba, that insofar as the individual farmers are concerned, that I do believe in the family farm. I think there is very much to be desired as to what constitutes a family farm, because I think it is here where our rural way of life becomes very very important and I think very valuable to those concerned. And I don't just stop there by saying that I believe in the family farm; I believe in creating an economic environment to a degree that makes it very worthwhile to be an economic -- or at least a family farm or a family unit, and to me I think this is very important.

The Honourable Member for Crescentwood was commenting on the legislation that is now before us and is practically on its way to the farmers, namely the \$4 million that the Minister of Agriculture had promised to the farmers in the constituency of Ste. Rose, and sort of indirectly it affected the farmers across the province. I took note of his criticisms of the fact that this was not good business to issue out a \$100.00 bill to each farmer; this was not good business. In other words, he was saying that the farmer didn't know how to run his own business. I think this is in essence what he meant, that it would be much better advised if the government itself would take that \$4 million and utilize it in some other way where they had more control as to how it was to be utilized. That's the impression or the understanding I had from the honourable member's speech.

Now, Mr. Speaker, at this point it becomes very important and very crucial as to what is the attitude of this present government insofar as rural development is concerned when they talk about it, because this is an area of real importance as well. We're saying on the one hand we're going to move out a number of farmers from the rural communities probably into the cities, only to create other problems because I think we have enough of them here when I listen to all of the problems we have in our urban centres. I am one who is as concerned to try to do what I can to solve those problems but I don't think we're solving them by adding the population to the city unless they have a real purpose and a place to go to fit themselves into that society.

So I feel, Mr. Speaker, that when they talk about rural development are they talking about the kind of development that the regional areas are going to be utilized to assist the people concerned in the various areas where opportunities may come their way to develop their rural communities, or are they going to take complete control and do the developing for them. I heard them use the co-operative movement and I must make it clear here, Sir, that I am not being critical of the co-operative movement because they have and are serving a very useful purpose within our society and within our communities, but I cannot understand why they favour one aspect of our society by the kind of remarks that have been presented in the Throne Speech. This is the only criticism I have. Are they going to use that movement as an influence to create our rural communities - to develop our rural communities. I think that everyone should have an opportunity in his own way to contribute to developing our rural communities.

When the Honourable Member for Crescentwood made his comments in his last speech, I was very very concerned, Sir, as to the motives that were behind the comments he had to make. And I want to say, Mr. Speaker, that while we listen to many farmers organizations and individuals of their various problems, we have much to be concerned about. But insofar as getting back to rural development again, if it's going to be rural development controlled by our government, then I question it very very much.

Well, Mr. Speaker, with those comments I feel that in getting back to the one particular issue I have here insofar as the compulsory aspect of our marketing legislation would mean one commodity of hogs and I want to get back to that before I sit down. I feel, Mr. Speaker, that - and here again I want to emphasize that these farmers should have the opportunity and should have that right to decide what they want for themselves. And here again I want to also repeat that one of the things that I was very concerned about and very disappointed in it, that some of those hearings, we very noticeably had a division in the feelings of farmers generally. We had

(MR. EINARSON, cont'd.) one group on one side of the fence and another group on the other. And I want to say, Sir, this didn't help the situation any; it didn't help the situation one bit.

The one thought that I want to leave with you, Sir, is that farmers generally are the kind of people who believe in being able to control their own destiny to a great extent, while there are certain areas that they have to get together in order to achieve some of the problems that are facing them. But the one thing that I don't go along with and that is if we're going to get into a society of compulsion, we are headed on a very dangerous path. With those comments, Mr. Speaker, thank you.

MR. SPEAKER: The Honourable Member for Morris.

MR. WARNER H. JORGENSON (Morris): Mr. Speaker, in rising to speak to this motion I am reminded of the introduction to Allen Clark's book "The Donkeys", written by Major Fielding Elliott. It's a devastating analysis of ineptitude and criminal persistence in wrong policy by the British High Command in 1915. Mr. Elliott warns of the terrible dangers which lie in the power of human error to go on repeating itself because wrong-minded men who made an initial mistake become determined to prove that they were not mistaken after all. Observing that the result was almost the total destruction of the old British professional army in a single year, he goes on to say, "that's why we must be certain that the levers of power do not and cannot come under the control of one man or a small group of men who could confine our power within the narrow intellectual limits of a single concept of war and strategy. The voice of reasoned dissent must never be silent."

A similar situation developed among some French High Command when Marshall Foch left the war college to assume command of the French forces at the front. Strict adherence to a plan he had left behind almost resulted in the destruction of the French army in the first six weeks of the war, and yet for every catastrophe that befell the French forces during that period the clique left behind by Foch found an explanation. I don't think that the parallel offered by Major Elliott in these two First World War experiences is too far-fetched to be unrelated to the proposals contained in this report.

Agriculture today, Sir, presents a rather interesting parallel. It's been demonstrated over and over again that the restrictive inward-looking approach to agriculture which is inherent in this report has proven to be a disaster wherever it has been applied, and yet the so-called experts keep making excuses as to the reasons why it does not work, never blaming themselves for the nonsensical and ill-conceived nostrums but suggesting rather that the reason for it is that they haven't had enough of the same medicine. The approach taken by the Federal Government in agriculture is calculated to be a bureaucrat's paradise destined solely to give those power-hungry satraps control over the entire agricultural industry. They have persisted in the implementation of their policy of attrition despite the violent objections of the agricultural community.

Sir, there are some 400,000 farmers in Canada, each of whom must make dozens of decisions each day relating to the operation of his particular enterprise, and yet these people have the audacity to suggest that they can better manage the affairs of the farmer by transferring the decision-making process to themselves. Why in the immortal words of the Minister of Transportation uttered in this Chamber on May 21st, 1969 - and I'll have to paraphrase him, Sir, because normally the words of the Minister of Transportation is not suitable for reproduction unless for obscene literature - but he did say words of great wisdom during the course of a debate in this Chamber on May 21st, and the message that he imparted here to be inscribed for posterity on the records of Hansard was this. "Well I'm a rookie too and I hope the Ministers" - and at that time he was on the opposition side of the House. He said, "Well I'm a rookie too and I hope that the Ministers and the people on this side will bear with me if I make mistakes." - and we've been doing that - "but the mistakes I make aren't going to affect anybody but myself." Mind you, these words were spoken when he was in opposition. "But the mistakes you make" - and he is referring to -- well, as a matter of fact he was referring to my Honourable friend the Member for Lakeside as Minister of Mines and Resources. He said this, "but the mistakes you make are going to affect the rest of Manitoba." Now what's the difference? The bureaucrats are arrogating to themselves the authority of making the decisions on behalf of the farmers, and if they make mistakes they affect the entire farming community.

Now this elementary lesson in 18th Century economics hasn't seemed to be able to penetrate the Member for Crescentwood who appears to be possessed with greater wisdom

(MR. JORGENSEN, cont'd.) than - at least he believes he is - than the combined wisdom of 400 thousand farmers. But, Sir, isn't that what socialism is all about, the belief that a small clique have a monopoly on wisdom?

Sir, this report is restrictive in all its aspects. When the committee set out to hold its hearing throughout the province the statements were made that the purpose of the hearings was to give the farmers an opportunity to voice and express their opinions on matters concerning agriculture and that the committee would, after hearing those views, incorporate recommendations that were consistent with the views expressed by the farmers.

Well, what happened? Hardly had the committee been organized, and as a matter of fact I don't think - I don't recall the exact date - but hardly had the committee been organized than we had the statement or a press release issued by the Minister of Industry and Commerce, and that press release was intended to indicate that there was an enterprise that was going to be constructed in the Province of Manitoba which would have some bearing on the farm community. The Minister of Mines and Resources never took the trouble - I beg your pardon - the Minister of Industry and Commerce never took the trouble to even ask Ogilvie's what their plans were. They issued a press release on their own which purported to say that Ogilvie's was going to go into hog production on a massive scale. Well, despite the protestations of the company themselves, and indeed a valiant attempt by the First Minister to correct the false impression that had been made by his own Minister, the Minister of Agriculture continued to persist, and every statement that he uttered throughout the committee hearings was that Ogilvie's indeed were going to go into hog production on a massive scale.

The fact is, Sir, that the Ogilvie people were intending to construct a \$700, 000 feed mill at Otterburne. For what reason? Their old mill located in St. Boniface was not near the site of hog production. The residents of St. Boniface are just not in the business of producing hogs to any large extent, and so it was the intention of the company to relocate that plant in an area where there was extensive hog production near the Otterburne district, a perfectly logical move in order to provide the farmers of that area, the hog producers of that area with a service and a facility that was in demand, a feed mill industry in the southeastern part of the province where the bulk of -- (Interjection) -- Well, there are feed mills in Morris. There are two or three of them in that area. But the bulk of the hog and poultry production is located in the Steinbach, Otterburne districts and seemed like a perfectly logical place to locate a feed mill.

In addition to that, they were going to do something that the hog industry has been looking for for some time - that is those people who have been in the business of producing hogs for some numbers of years - they were going to establish a quality hog breeding station in order to provide their customers with top quality breeding stock in order to improve the quality of hogs in this province. And it could stand some improvement, Sir, because according to the records of 1969, Manitoba of all the provinces produced the lowest percentage of high quality hogs of all the provinces in Canada.

MR. SPEAKER: The First Minister.

HON. EDWARD SCHREYER (Premier)(Rossmere): Mr. Speaker, I realize that the honourable member is enthusiastic about the prospects of increasing hog production but in the particular case he's referring to, is he aware that the figures used as to the number of breeding sows and piglets each year that there was an error in that each sow would have had to have 500 piglets per year, would have had to farrow once a week.

MR. JORGENSEN: As a matter of fact, Sir, I was going to come to that portion. As a matter of fact, I have the press clipping right in front of me in which I was going to quote the First Minister in his, as I said, his valiant attempt to correct the false impression created by the Minister of Industry and Commerce. One might even conclude that in the light of what has happened, that the whole effort was a deliberate one on the part of . . . If one can conceive of the possibility that the Minister of Industry and Commerce is clever enough to be able . . .

MR. SPEAKER: Order please. Has the honourable member got a point of order? The Honourable Member for Ste. Rose.

MR. PETE ADAM (Ste. Rose): Will the member entertain a question at this time? Will the Member for Morris please indicate whether he's in favour of this complex at Otterburne?

MR. JORGENSEN: I'm certainly in favour of the complex at Otterburne. A feed mill is something that is very badly needed in that area to supply the feed requirements of the industry in the Otterburne district. Honourable gentlemen, you know, they impress me with how naive they can be because, simply because some company decides to provide a service in a community

(MR. JORGENSON, cont'd.) . . . and because the company happens to be a business, private enterprise, automatically there's a reaction on their part. Well, it may be not so surprising. They have this automatic reaction against a businessman just as I have an automatic reaction to everything that the Socialist propose, so maybe we're equal on that. But the point is that automatic reaction was created in the minds of the farmers by the statement issued by the Minister of Industry and Commerce and followed up by the Minister of Agriculture. I give credit to the First Minister; he attempted to correct it and I want to put his statement on the record now because I want to be fair to the First Minister in his attempt to put his Cabinet on the proper track. Here's what the First Minister had to say in a press release issued January 22, 1971. He says: "Manitoba's bright, healthy climate and vigorous expansion programs" (I must question that) "still can't provide a situation where provincially-grown sows can produce 400 piglets a year." And that's a very good question. "But this, says Premier Ed Schreyer, means that even in Manitoba there is a practical limit to what the province can expect." He hasn't been able to get that message across to his Minister of Agriculture yet because he persists in telling the farmers that they're going to produce 60,000 hogs a year from that operation.

"Mr. Schreyer was commenting on a later-corrected government release which had indicated that Ogilvie Flour Mills Company Limited would develop a \$5 million feed mill and hog-breeding complex to provide farmers with breeding stock which in three to five years would be producing 60,000 hogs for market annually." And he goes on to say. "Even the most optimistic hog producer would pale at the thought of 150 sows producing 60,000 shoats a year. These, said the First Minister, would have to be amazing sows. "

Well, Sir, he still hasn't been able to convince his Minister of Agriculture. I see him assiduously writing notes and I presume that the intention of that is to reply when the opportunity presents itself. And I'm willing to bet that when he gets up, Sir, he's still going to insist that they're going to produce 60,000 hogs a year, despite what everybody has said.

Now, Sir, I was distracted. What I was about to point out is that the need for top quality breeding stock in this province is apparent from the records of 1969, which is the last year of records that I have, as to the percentages of top quality animals produced in this province.

The Canadian average of hogs indexing 102 or better - and my honourable friends, I will have to find out what that means - it's a system of grading hogs that is intended to indicate just how acceptable hogs are to the consuming public and anything over 102 or better is presumably an acceptable hog. But the Canadian average is 43.8. In British Columbia the number of hogs that score 102 or better is 53.8; in Alberta it's 43; Saskatchewan is 42.6; Ontario is 42.8; Quebec is 45.4; New Brunswick is 55.5 and Nova Scotia is 62.1; and the reason that Nova Scotia reaches that high level of production is simply because they have access to that New York market and that is a quality market. Most of their product is exported. Prince Edward Island has a high average of 56.3 and Newfoundland, where Joey Smallwood produces most of the hogs in there, has a very high average of 63.5, the highest in Canada. But in Manitoba, our average is 39.1 - that's the lowest in the entire Dominion of Canada. Ogilvies recognize this and the whole intention of the Ogilvie complex, in addition to providing a top quality feed, is to provide a research station which will do research in improving hog quality while at the same time producing breeding stock for farmers who wish to either buy or rent that breeding stock. The intention is to improve the quality of hogs in Manitoba.

Now, last year as a matter of fact, out of the total quantity of hogs produced in this province, there were less than 100,000 - of a million hogs produced in this province there was less than 100,000 that scored 105 or better, and the demand - the market in Manitoba alone is for something like 200,000 hogs, so they had to bring in, had to import into this province, in excess of 100,000 hogs to meet the market demand that exists right in this province. In spite of the fact that we're producing a surplus of hogs. So one can clearly see that the key to the success of the hog industry in this province is the development of better quality hogs.

I see my honourable friend, the Member for Crescentwood, is rising to participate in this debate and I'll be happy to accommodate him.

MR. SPEAKER: The Honourable Member for Crescentwood.

MR. CY GONICK (Crescentwood): I wonder if the Member would permit a question?

MR. JORGENSON: I presume he's asking a question.

MR. GONICK: Yes. A question. If the Ogilvie complex were in fact as large as was originally announced - which the announcement was incorrect - but if it were in fact to be as large as was originally announced, would the Member for Morris have approved the complex?

MR. JORGENSON: In the first place, Sir . . .

MR. SPEAKER: . . . before the honourable member, may I say a word or two? I have no objection to questions of clarification being asked during debate but I do think that if members want to participate in the debate they should do so; not by questions but by taking their proper turn in the debate. The Honourable Member for Morris.

MR. JORGENSON: Thank you, Sir. Well, by their questions, ye shall know them. The Minister . . .

MR. SPEAKER: Order. I realize that we do get a lot of latitude in this House. I do not sometimes appreciate some of the comments of some of the gentlemen; I wish they would keep them to themselves. The Honourable Member for Morris.

MR. JORGENSON: Well, since the question was asked, Sir, I will incorporate the answer in my remarks.

The fact is, Sir, that there have been several instances where large complexes such as this have been set up. Here's an example of one of them, and it's a press release dated February 28, 1969. It says: "Huge pig factory scheduled for British Columbia", and it goes on to point out that here is an operation that was put up by the National Grain Company, and their intention was to go into the production of hogs at Abbotsford, British Columbia. Their intention was to produce something like 24,000 hogs a year which would be added to the 70,000 hogs produced in the Province of British Columbia at that time to supply a market - and get this - to supply a market of over half a million hogs consumed annually in that province. Every opportunity to provide for the market that existed - the market was there, right in that province - and yet the thing is a failure just as other enterprises started by big companies are a failure. They have been tried in Ontario, they have been tried in British Columbia and wherever they are tried they have been a failure; and they've been a failure because the production expertise brought in by the so-called experts has failed to compete with the bona fide farmer and we have had representation made to that Agricultural Committee time after time by good hog producers in this province who said, We are not worried about big companies moving into hog production because we'll run them into the ground. We can produce hogs cheaper than they can. There's no way that they can compete with us. We're not afraid of them. So if the hog producers themselves are not afraid of them, what's wrong with the Member for Crescentwood? What's he worried about? Is he going to go into the production of hogs? Extremely unlikely, Sir. I'll predict if he ever does, this will be the greatest failure in the world, because with the kind of nonsensical ideas that he puts forth, why it would be interesting to see what kind of an animal he would produce if he ever got into the production of hogs. Sir, you've heard of what a camel is: A camel is a horse designed by a committee. It would be interesting to see what a hog would look like designed by the Member for Crescentwood.

Well, Sir, these questions are very interesting but they detract me from my purpose in rising today and in the point that I attempted to make. What I really wanted to say, Sir, was that despite many of the representations that were made on behalf of farmers in this province, and some of the very worthwhile suggestions they made, none of those suggestions are contained in this report. The Minister of Agriculture, in his campaign throughout the province, attempted at every opportunity to inflict his views on the farmers, rather than listening to the farmers present their points of view and their suggestions to the solution of the farm problem. -- (Interjection) -- That's leadership in the wrong direction.

For example, Sir, and this has been mentioned by my friend, the Member for Pembina, and it is also in conjunction with a statement made by the Member for Crescentwood and I'm going to appeal to him now. In his desire to improve the quality of life for Manitoba farmers, I'm going to make a proposition to him and suggest that here is an opportunity for him to show some leadership. We had at least four briefs presented to this committee during the course of our hearings in the southern part of the province and every one of them, every one of them pleaded for the construction of the Pembina River Dam which is still, as far as the Minister of Mines and Resources is concerned, still has a very low priority in his order of things that need to be done to improve the quality of life in this province.

The Member for Crescentwood in his immortal words the other night, advocated rural industrialization, and Sir, I can't think of anything that will do more to assist in the rural industrialization of that part of the province than the construction of the Pembina River Dam. Where is such a recommendation contained in this report? No it is too sensible.

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

MR. SCHREYER: I'm reluctant to interrupt my honourable friend when he's in full flight, humourous as he is in those times, but I'm wondering, Sir, if the point of order with regard to relevance should not be considered now. The honourable member is using the motion before us at the present time as a springboard in order to make a 'pitch' on a local public work project that he has close to his heart.

MR. SPEAKER: I thank the Honourable First Minister. The point is well taken, I would suggest to the Honourable Member for Morris that he does get down to the resolution before us. I have allowed a lot of latitude but nevertheless the motion before us is to accept the report.

MR. JORGENSON: If I may speak on the point of order. The fact is that what this report is is a report of the hearings that the Agricultural Committee had throughout this province during the past year. The fact is that at least four briefs were presented before that committee, before the committee, suggesting the construction of that dam and what I'm attempting to point out is that the report does not contain all of the things that I think it should contain, and surely, Sir, I should be given the right to point that out in my remarks.

MR. SPEAKER: Order, please. The Honourable Member has had that latitude but I was going to get up anyway and indicate to him that the report has nothing to do with what the Honourable Member for Crescentwood should be doing and this is the point where he strayed from the topic. Now would he get back to the debate. The Honourable Member for Morris.

MR. JORGENSON: Very well, Sir, then -- (Interjection) -- Well, Sir . . .

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

MR. SCHREYER: Mr. Speaker, if I may speak further to the point of order. I'm not clear, Sir, if you've ruled yet, but in case you haven't I would just like to speak further to the point of order. That the matter of the Pembina Valley Dam, important though it may be, nevertheless is not germane to the subject matter of the motion now before us. The Honourable Member for Morris may wish that reference to the Pembina Valley Dam was incorporated into the report of the Committee. The report of the committee is not government policy; the honourable member knows that full well; it is a legislative standing committee report which has to be taken under consideration by the government for further elaboration of policy. But certainly, I submit to you, Sir, that his extended remarks with respect to the Pembina Valley Dam are not germane to the subject matter before us.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SIDNEY SPIVAK, Q. C. (Leader of the Opposition)(River Heights): Mr. Speaker, on the point of order. The past practices of the Legislature I think are important in determining how this matter is decided. The truth of the matter is that those matters that are brought up before a Legislative Committee are subject of discussion. This is not the first time nor I suspect will it be the last time that in the report of a committee being presented, the various representations that have been made to the committee are in fact entitled to be discussed and debated; and that's what the Honourable Member from Morris is doing. He has indicated, Mr. Speaker, that in fact there were four representations made to the committee, that matter was discussed in the committee, although it may not be finalized in the wording of the formal report to be presented, but surely, Mr. Speaker, on the basis of past practices there is an entitlement to debate on those issues that in fact were presented and discussed.

MR. SPEAKER: I'm just going to indicate that all the points that have been discussed have been noted. I would suggest that in reply to the last point made by the Honourable Leader of the Opposition that we certainly do not hope to have the details of every report bared before it is accepted as a report before this House. I would ask the gentlemen to conduct themselves accordingly. The Honourable Member for Morris.

MR. JORGENSON: Well, Mr. Speaker, if I may continue. I should like to read the instructions that were given to the committee before we even set about holding the hearings. In the terms of reference apart from the setting up of the committee itself and the membership on the committee it goes on to say this: "Be instructed to hold hearings to provide farmers and farm organizations and other interested organizations and individuals an opportunity to present their views on the recommendations of the Federal Task Force on Agriculture, and". And here is the important part: "Interested organizations and individuals to present their views on the problems of and the opportunities for rural adjustment and development."

Now, Sir, if the construction of that Pembina River Dam and its opportunities for industrial development are not germane to the terms of reference, then I don't know what is. It's part and parcel of the whole report, and we had briefs presented to us by several industrial

(MR. JORGENSEN, cont'd.) development corporations which outlined programs and plans for industrial development; and surely, Sir, if it is contained in the terms of reference themselves, then surely there must be an opportunity to indicate to the House that we object to the report because it fails to contain many of the recommendations that were presented before this committee; and the Pembina River Dam is just one of the programs that were presented before us. But, Sir, if my honourable friends are sensitive on this subject and don't want to have it discussed here I couldn't care less, I couldn't care less, because I'll have another opportunity. I'm going to do that when the Minister of Mines and Resources will have his estimates before the House - you know, if he dares to bring his estimates before the House - and under the section entitled Water Control and Conservation, I hope. I'd like to ask the First Minister now, if under that particular section of the estimates, if he'll be giving me the opportunity to make the comments on the Pembina River Dam that I'd like to make right now. But I'm perfectly happy to desist in pursuing that subject and deal with something else. There's lots of other things that are not in that report and there are lots of other things about the conduct of the committee itself, the business of the committee, that can be dealt with.

My main point, Sir, in rising at this time is to indicate that in my opinion the recommendations contained in this report are restrictive in nature, they're designed to place agriculture in a further straitjacket from which there is no hope of recovery and the ultimate result is the complete control of the agricultural community by the government, and it is that aspect of the report that I object to at this time, because that is its intention. And despite what my honourable friends may say about the Ottawa government and how much they may oppose some of the policies being brought in by that level of government, the fact is, Sir, that here they are - if not secretly - at least giving support to the kind of policies that are being implemented by the Federal Government. I see the Minister of Agriculture is on his feet and I'll be happy to yield the floor to him if he has a question to ask.

HON. SAMUEL USKIW (Minister of Agriculture)(Lac du Bonnet): Does the honourable member not recognize that this report does not reflect government policy at this point?

MR. JORGENSEN: I'm quite aware of that. What this report does is submit a recommendation to the government that I'm opposed to, and because I'm opposed to it I am exercising my right in this House to outline the reasons why I'm opposed to it. First of all, because it contains recommendations that I do not like; and secondly, because it does not contain recommendations that I believe should be in that report; and what I attempted to do was to point out both of them. I was prevented from doing so by the First Minister. I was prevented from pointing out what I think should be in the report, but that's all right, I'll do that on another occasion. But now I am dealing with those things that the report does contain and which I'm objecting to.

They're trying to tell this House that the introduction of a compulsory system of hog marketing is the answer to the problems of the hog industry. Sir -- (Interjection) -- Well, if my honourable friend will just be patient for a moment I'll try and tell him, and this is what I've been attempting to do, but when I do try to give an answer, when I do try to say something, he gets up on points of order and prevents me from speaking. Well then, perhaps my honourable friend the First Minister will contain himself long enough to hear what I have to say. What I am trying to say, Sir, amid frequent and raucous interjections, is that the answer that is proposed and contained in this report is in effect no answer at all. We on this side of the House indicated at the time that the Manitoba Agricultural Credit Corporation bill was introduced in this House, reinstating that body, that there were grave dangers in promoting the shift from grain into livestock, that is could produce the same effect in the livestock industry that was currently in effect in the grain industry. And that's exactly what happened.

Now, having successfully produced a surplus of hogs in this province, and consequently created a difficulty for that industry - I'm not blaming the government entirely, there were other factors at work as well - but I pointed out at the time that the encouragement of the production of hogs in this province could lead to disaster in the hog industry, and that's exactly what happened. They didn't need any encouragement at that time. The factors that were at work, the encouragement that was there, did not need any encouragement whatsoever. The Minister of Agriculture, when he introduced the Manitoba Agricultural Credit Corporation, he said this was for the purpose of farmers diversifying into livestock production, and I warned, Sir, I warned of that eventuality, and it has come to pass. So what you have, Sir, is a situation where the government are now trying to solve a problem that they created for themselves. Just

(MR. JORGENSON, cont'd.) like a 14 year-old boy on trial for murdering both his parents, pleading for mercy on the grounds that he's an orphan. He created the problem, he created the problem, or they assisted in creating the problem. Now they say, now they say, let's solve it by restricting the farmers. There's only one difference between Bill No. C-176 and what they're proposing . . .

MR. SPEAKER: Order. The honourable member has five minutes.

MR. JORGENSON: Well, Sir, I hope that you . . .

MR. SPEAKER: Yes, I did.

MR. JORGENSON: . . . Well, that's fine. I won't pursue that. What the report is proposing is that we go into a compulsory system of marketing hogs, and the impression that the Minister has tried to create across this province that - presto! That was the purpose of the release by the Minister of Industry and Commerce, to create the fear in the minds of the farmers that the whole industry was going to be taken over by a private and giant corporation, and that was utter nonsense, because all through his remarks the Minister has said that one of the purposes of setting up a compulsory hog marketing program was to make sure that they could prevent that sort of thing from happening; and he's misled the farmers into thinking that a millennium is going to arrive with the introduction of a compulsory hog marketing board, that the prices are going to go up, the corporations are going to stay out -- and that's easy because they don't intend to come in anyway. But the comparison of the hog prices in the Province of Ontario where there is a compulsory hog marketing board and the comparison of the hog prices in this province as put out by the Minister's own department, shows that the fluctuations that exist in the Ontario market are very much the same as the fluctuations that exist in the Manitoba market. No matter how you cut it, Sir, the market price is what determines the price of hogs: The exchange between those who wish to purchase and those who wish to sell, and no arbitrary setting of price is going to solve the problem in this province or any other part of the country. What is required in the hog industry is an expansion of our markets. That can be done, Sir, by the improvement of hog quality. Ogilvie Labatts are attempting to do just that, and the Hog Producers Association of this province approved, the hog producers themselves approve of the setting up of that complex at Steinbach and at Otterburne, because they see in it an opportunity to improve the quality of the product that is produced by Manitoba Hog Producers and thereby enlarging our markets, enlarging our opportunities, providing for diversification of agricultural production in this province and lessening the impact of our failure to develop markets for grain across the world. And hopefully, this afternoon perhaps, if the time arrives for my resolution on the Order Paper, I will have something to say about the grain industry this afternoon; and hopefully we'll be able to get to that. And here is the Minister of Transportation with more great words of wisdom. He mumbles in his seat, and I must confess, I must confess, Sir, that his contribution to the debate last night is one that I'm going to reread with great interest because . . .

Sir, in summing up I simply say that the report that has been presented by this committee is one that I cannot agree with in all its aspects because I am opposed to the setting up of a compulsory hog marketing board; I don't think it will do anything to relieve the situation that currently exists in the hog industry. Expansion of markets and the improvement of quality are the two things that can put the hog producer back on the road to successful production. And if the government can keep their hands out of their pockets and do something about stopping their costs from rising they'll be able to compete. That, Sir, is what I believe is required in the hog industry.

MR. SPEAKER: The Honourable Member for The Pas.

MR. McBRYDE: Mr. Speaker, I'd like to move, seconded by the Member for St. Matthews, that debate be adjourned.

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

MR. SPEAKER: Notices of Motion.

INTRODUCTION OF BILLS

MR. F. JOHNSTON (Sturgeon Creek) introduced Bill No. 35, an Act to amend an Act respecting the Midland Railway Company of Manitoba.

ORAL QUESTION PERIOD

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

MR. GRAHAM: Thank you, Mr. Speaker. I would like to direct my question to the First Minister in the absence of the Minister of Education. Could the First Minister indicate whether or not the School for the Deaf will be closed in the Province of Manitoba?

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: Mr. Speaker, I am rather curious as to the cause of the honourable member's question. I will take it as notice.

MR. SPEAKER: The Honourable Member for Rhineland.

MR. FROESE: Mr. Speaker, on Monday, April 26th, I asked the question of the Minister of Finance. Are farmers required to pay the 20-cent tax on diesel fuel when used in farm trucks? I referred to this yesterday. I wonder if the Minister could answer me now.

MR. SPEAKER: The Honourable Minister of Finance.

HON. SAUL CHERNIACK, Q. C. (Minister of Finance)(St. Johns): I believe all users of diesel fuel pay a tax. I mean all motive fuel, diesel motive fuel pay a tax.

MR. FROESE: Mr. Speaker, I have two supplementary questions. In collecting the tax now for past purchases, how far are you making it retroactive, how many years?

MR. CHERNIACK: Mr. Speaker, it's obvious that if they are required to pay a tax they've been required to pay it for some time because since this government came into power we did not make any change, so that the law would apply and the department would be required to collect the taxes that are payable.

MR. FROESE: A supplementary. Why was it not collected earlier when it was subject to tax, and will a change be made?

MR. CHERNIACK: Mr. Speaker, I'm not sure that it wasn't collected. I suppose there are various occasions when some people are in default. All I can say is that if the Member has a specific problem then he should know, as other members in this House know, that if the problem is referred to me it would be dealt with, and I would invite him to do that by notifying me of the specific problem and I'll look into it as I usually do.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SPIVAK: Mr. Speaker, my question is for the first Minister. I wonder whether he can indicate to the House whether any assistance was provided to the Auto Insurance Corporation by private insurance corporations outside of Manitoba in the rate scheduling that was finalized?

MR. SCHREYER: Well Mr. Speaker, in the absence of the Minister responsible, I can advise the honourable member that the working up of the rates was done on the basis of professional advice, consultants, and it's done on the basis of actuarial measurement.

MR. SPIVAK: I wonder if the Premier could indicate whether any private insurance company assisted either the government directly or the consultants in the rate schedule.

MR. SCHREYER: Mr. Speaker, it's possible that there was some indirect and casual assistance. I have no reason for believing at this point that in fact there was such assistance, but it's possible that there was.

MR. SPEAKER: The Honourable Member for Sturgeon Creek.

MR. F. JOHNSTON: Yes, Mr. Speaker, my question is for the First Minister. Yesterday the Minister of Transportation referred to the Liberal government of Quebec as corrupt. What explanation is the First Minister going to give Mr. Bourassa re that . . .

MR. SPEAKER: Order, please. That question really isn't relevant to the House. The Honourable First Minister.

MR. SCHREYER: Well, Mr. Speaker, this is the kind of question that normally does not attract or warrant a reply, but I would just simply indicate to the honourable member that I suppose the same answer would be warranted, or the same comment would be warranted on my part in this case as in the case of the statement made by the Premier of Saskatchewan with respect to the Government of Manitoba, and the statement made by the Attorney-General of Saskatchewan with respect to the Government of Manitoba. Sometimes it's better to let sleeping dogs lie.

MR. SPEAKER: The Honourable Member for Fort Rouge.

MRS. INEZ TRUEMAN (Fort Rouge): Mr. Speaker, I have a question for the Honourable Minister of Health and Social Development regarding the case where two men were evicted from the Tache Chronic and Geriatric Hospital. In the enquiry that is being conducted, will efforts be made to discover whether similar problems exist in other such . . .

MR. SPEAKER: Order please. Anything under an enquiry is not relevant and can not be discussed at this time. The Honourable Member for The Pas.

MR. McBRYDE: Mr. Speaker, before the Orders of the Day, I'd like to address a question to the First Minister. I wonder if the First Minister could explain what is the nature of the problem between the Town of The Pas collecting taxes from the three companies at the CFI Complex and what action is being taken to solve this problem at this time.

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: Again in the absence of the Minister of Municipal Affairs I can advise the Honourable Member for The Pas that the Provincial Municipal Assessment Branch has conducted the assessment of the properties in question and I believe are in a position to finalize the assessment figures with respect to those properties by the end of next week, approximately by that time, and that it should be possible therefore for the Town of The Pas to include in its budget calculations the anticipated tax revenue from these properties except for such properties that were exempted or given special tax consideration by virtue of the agreement entered into between the Town of The Pas and CFI back in 1966.

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

HON. RENE E. TOUPIN (Minister of Health & Social Development) (Springfield): Mr. Speaker, with your permission, I would like to attempt to answer the question of the honourable member.

MR. SPEAKER: The Honourable Member for Pembina - I did rule on that question.

MR. GEORGE HENDERSON (Pembina): Mr. Speaker, my question is for the Minister of Mines and Natural Resources. Is there going to be any assistance provided for the people who had damage due to flooding in the Spring of 1971?

MR. SPEAKER: The Honourable Minister of Mines.

HON. SIDNEY GREEN, Q.C. (Minister of Mines, Resources and Environmental Management)(Inkster): Mr. Speaker, we're looking at requests for flood assistance. The policy of the government will be to do no more and no less than has been done under previous flood policies.

MR. SPEAKER: The Honourable Member for Lakeside.

MR. HARRY J. ENNS (Lakeside): My question, Mr. Speaker, is to the Honourable the House Leader. Can the House Leader indicate to us whether or not he has received notice of a private member's bill being introduced in this Legislature with respect to free abortion on demand?

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

MR. GREEN: No, Mr. Speaker.

MR. SPEAKER: The Honourable Member for Assiniboia.

MR. STEVE PATRICK (Assiniboia): Mr. Speaker, the Minister of Municipal Affairs is not in his seat. I wish to direct my question to the First Minister. Will the government consider giving tenants in federal-provincial public housing an opportunity to buy these units with a low down payment?

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: Mr. Speaker, I believe it's correct to say that a policy along the lines suggested in the honourable member's question is under consideration by the Government of Manitoba, and after the appropriate study and consultation with the federal level of government, the federal agency, involved, C. M. H. C., we will be in a position to make a definitive policy statement. We are not in that position just yet.

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

HON. LEONARD S. EVANS (Minister of Industry and Commerce)(Brandon East): Mr. Speaker, a short time ago the Honourable Member from Rhineland asked a question pertaining to the Morden Cannery. He asked how much money will be spent in renovating the Morden Cannery, and I can reply now that the estimated or projected capital expenditure budget for the company now operating the cannery is approximately \$95,000. Of this amount, \$65,000 will be for plant and equipment and about \$30,000 will be for direct renovating costs including maintenance. Another question was asked by the member relating to the cannery, how much acreage will be assigned to canning crops in that area, and I can advise the honourable member and members of the House now that the 1971 plan calls for 1,670 acres to be sown this year with 85 grower contracts in the process of being negotiated, some of which have already been finalized, and with growers being selected equally both from the Morden and from the Winkler area. The company has received, I might add, Mr. Speaker, excellent cooperation from the growers and the community at large and I believe the general local reception of having this plant back in operation again has been most gratifying.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SPIVAK: Mr. Speaker, I have a question for the Minister of Industry and Commerce. Can he indicate to the House what projections have been made as to what cash surplus or cash deficit the operation will have in this - I'm not sure whether they're on a calendar year or a fiscal year - but in terms of the year's operation.

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

MR. EVANS: Well, Mr. Speaker, it's impossible for me to give you that figure off-hand but I can take the matter as notice.

MR. SPIVAK: Well, a supplementary. Can the Minister indicate whether it's the belief that the Morden Cannery will make a profit or will there be a loss which in fact will be subsidized . . .

MR. SPEAKER: Order please. Beliefs or non-beliefs aren't relevant to this House. The Honourable Member for Fort Rouge.

MRS. TRUEMAN: Mr. Speaker, I have a question for the Honourable Minister of Health and Social Development. Is it still the practice to house children who are taken in custody for the Children's Aid Society and children who are delinquent together in the same institution such as Vaughan Detention Centre and the Homes for Girls and Home for Boys?

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

MR. TOUPIN: Well, Mr. Speaker, because of the overcrowding in Vaughan Street Detention, I've authorized the Department of Health and Social Development to make full use of the facility, the available space that we have in the Home for Girls in East St. Paul, and actually make use of any other facility that we have in the Province of Manitoba. So I do hope that we will be able to transfer quite a few of the delinquents that we have at the Vaughan Street Detention Centre.

MRS. TRUEMAN: I have a supplementary question. In the incident in Portage la Prairie then where some boys were apparently celebrating and drank the contents of a bottle of window cleaner, were these children who were there under detention for correctional purposes or were they wards of the Children's Aid Society?

MR. TOUPIN: Mr. Speaker, I could attempt to answer the question but I do believe that we do hold delinquents at the Home for Boys that are under detention for sentence. I will take the question as notice.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SPIVAK: Mr. Speaker, my question is a supplementary to the Minister of Industry and Commerce with respect to the Morden Cannery. I wonder whether he can indicate whether there is any information that is available that indicates that the operation to be conducted by the Manitoba Development Corporation or by the government will show a profit or will not sustain a loss.

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

MR. EVANS: Well, Mr. Speaker, we are, or the Manitoba Development Corporation is sufficiently satisfied of the past profitable operation of the company and I am personally, having had the information given to me by the President of Canadian Cannery Limited who previously owned the cannery. He said it was a profitable operation. I indicated to the members of the House earlier the reason for the Ontario-based company withdrawing from Manitoba was they felt that they could maximize profits by consolidating in southern Ontario. But the facility itself, the plant itself in Morden was in the black. It was making a profit and I see no reason why we can't make a profit either.

MR. SPEAKER: The Honourable Member for Fort Garry.

MR. L. R. (Bud) SHERMAN (Fort Garry): Mr. Speaker, I'd like to direct a question to the Minister of Transportation and ask him whether he's aware that applications for drivers license renewals now being received in the mail by Manitobans contain a \$3.00 levy for basic insurance coverage, and I would like to ask the Minister . . .

MR. SPEAKER: Order, please. Awareness again is not a proper question may I remind the honourable gentleman. Will he rephrase his question. The Honourable Member for Fort Garry.

MR. SHERMAN: I would like to rephrase my question then, Mr. Speaker, and ask the Minister under what statutory authority the \$3.00 levy for basic insurance coverage is being included in the driver's license applications at this time. A supplementary, Mr. Speaker, I see he's in a receptive and cooperative mood. I would like to ask him whether it's not a fact that that statutory authority reposes in Bill 31 . . .

MR. SPEAKER: The honourable member is making a statement. The honourable member, as I said, was making a statement on a supplementary. If he'll rephrase it I'll accept it. The honourable member.

MR. SHERMAN: Well, Mr. Speaker, perhaps I'll direct a question to the First Minister and ask him whether it's not a fact that the authority for that \$3.00 levy reposes in Bill 31 now before this Legislature and whether it's not a further fact that Bill 31 has not received second reading from this Assembly as yet.

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: Well, Mr. Speaker, I'm interested to get the legal opinion of the Honourable Member for Fort Garry. Having got his legal opinion I think it'll now be necessary to perhaps get more extensive legal opinions. It is my understanding of the matter that the authority which the honourable member refers to is provided by regulations in turn promulgated under the auto insurance legislation or Act passed last year.

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: . . . legislation in Bill 31 does not relate, I believe it does relate, but the authority so I'm advised is provided by regulations under the aegis of the legislation passed last year.

MR. SPEAKER: The Honourable Member for Roblin.

MR. J. WALLY MCKENZIE (Roblin): Mr. Speaker, I have a question for the First Minister. I wonder has the First Minister recommended the name of some of our Indian brethren in this province for the vacancies that's in the Senate at this time?

MR. SPEAKER: Order please. It's not relevant. The Honourable First Minister.

MR. SCHREYER: Mr. Speaker, with your grace and permission, this is perhaps a misunderstanding on the part of the Honourable Member for Roblin. The Province of Manitoba does not have any direct involvement or authority with respect to the appointing of Senators. If we did, I can assure him that we would be considering the name of the Honourable Member for Roblin.

MR. SPEAKER: The Honourable Minister of Agriculture.

MR. USKIW: Mr. Speaker, the other day the Member for Rhineland posed a question about the currency requirements in wheat sales, our transactions throughout the world and whether or not they were related to an agreement derived at Bretton Woods -- or the Bretton Woods Agreement. The information I have supplied by the Canadian Wheat Board is that there is no stipulation regarding the form of currency used in any of those transactions.

MR. SPEAKER: The Honourable Member for Charleswood.

MR. ARTHUR MOUG (Charleswood): Mr. Speaker, I'd like to direct a question to the Minister of Labour. Does the Manitoba Government Employees Association wish or request strike privileges?

MR. SPEAKER: The Honourable Minister of Labour.

MR. PAULLEY: Mr. Speaker, in reply to my honourable friend, the matter of relationships between the Government of Manitoba and the Manitoba Government Employees Association is under consideration; negotiations are proceeding.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SPIVAK: Mr. Speaker, my question is to the First Minister. I wonder whether he can indicate whether the Auto Insurance Corporation will be co-insuring with other private insurance companies.

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: Mr. Speaker, this would be a matter of operating policy which I'm not in a position to answer at the moment. I can take it as notice, and since I am doing that, Mr. Speaker, would the Honourable Leader indicate whether he actually means co-insuring or re-insuring.

MR. SPIVAK: . . . expression was wrong. I meant re-insuring. Assuming - the Premier has not answered, has taken the question as notice - I wonder whether he can indicate if in fact they intend to re-insure and have not, whether that has been considered in the pricing of auto insurance that has been now established for the Auto Insurance Corporation.

MR. SCHREYER: Well, Mr. Speaker, there are significant policy implications which have to be considered. I will take the question as notice to the appropriate Minister.

MR. SPIVAK: Well, a supplementary question for the First Minister. If the policy implications have not been settled, how is it possible then for the auto insurance companies to finalize its rates?

MR. SCHREYER: Well, Mr. Speaker, I am not of course expert in the field of insurance as is my honourable friend, but I shouldn't have thought that the matter of re-insuring or not re-insuring in turn would have all that significant an impact on the rates that would have to be struck by the corporation in order to maintain an actuarially sound program. Nevertheless, I'll take the question as notice.

MR. SPEAKER: The Honourable Member for Assiniboia.

MR. PATRICK: Mr. Speaker, I wish to direct my question to the Minister of Industry and Commerce. He took my question as notice the other day in respect that the government will reactivate their Air Policy Committee and he mentioned that he would table the new members of the committee within a day or so. Has he that list now?

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

MR. EVANS: Mr. Speaker, I do not have the list now but I can assure the honourable member that we're working on the matter and I would hope within a matter of days that we can call the group together and provide considerable amount of information to all members so that they'll be well briefed on the subject. We are working on it quite actively.

MR. SPEAKER: The Honourable Member for Rhineland.

MR. FROESE: Mr. Speaker, I'd like to address my question to the Minister of Industry and Commerce. Is it the intention of his department in regard to the Morden Cannery to request and secure more favourable freight rates to ship canned goods east and be more competitive with eastern canneries.

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

MR. EVANS: I can assure the honourable member that the management of the Morden Cannery will do everything possible to maximize revenues and minimize costs.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SPIVAK: Well, Mr. Speaker, my question is a supplementary to the Minister of Industry and Commerce with respect to the Air Canada Policy Committee. I wonder whether he can indicate whether the government will request and have a union representative present at that meeting as well.

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

MR. EVANS: The intention is to have representation both from management and from the union side.

ORDERS OF THE DAY - GOVERNMENT BILLS

MR. SPEAKER: On the proposed motion of the Honourable Minister of Tourism and Recreation, (Bill No. 6) The Honourable Member for Charleswood.

MR. MOUG: Mr. Speaker, I was out of the House yesterday when my colleague the Member for Fort Garry spoke on this bill and apparently covered it very very well so I'll let it go.

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

MR. SPEAKER: On the proposed motion of the Honourable Minister of Finance, (Bill No. 9) The Honourable Member for Gladstone.

MR. J. R. FERGUSON (Gladstone): Thank you, Mr. Speaker. Basically, Bill No. 9 hasn't this much of a direct effect on the rural Manitoba scene at the moment but the effect on the over-all picture would be that the Minister of Urban Affairs would control roughly 57 per cent of the population of Manitoba and to me this is quite a terrifying thought, because I think that this is just a little bit too much power in the hands of any individual and it's further to the trend today of big government, big business, centralization, and I think this is really the repulsive fact on this Bill No. 9.

The bill proposes the complete control of the city and the Metro area. I think the bill is unnecessary because most of the budgets have already been submitted to the Department of Municipal Affairs. The Minister would have the power to change the budgets any way that he saw fit; the municipalities would have to come to him for any adjustments in the financial programs; all of the surpluses at the end of the year would be taken over by the centralized authority and any deficits would be made up out of the taxes through the community level; cities would have to have permission from the Minister to spend any reserves in their communities; and the whole trend of the bill all the way through seems to be, as I said at the outset, Mr. Speaker, the complete loss of local autonomy.

Also, it would give the Minister the jurisdiction of setting all of the boundaries of the

(MR. FERGUSON cont'd) new city. It's retroactive legislation and puts the city in the position of having the Minister change decisions already made by the councils. The thought that would have to occur to all of us in rural Manitoba would be that there's nothing now to say that another Act can't be introduced and the rural jurisdictions would be taken over and handled through one central authority.

Now I don't want to go on very long on this bill, Mr. Speaker, there will be others that want to speak on it. I am not that familiar with Metro government but the compulsive fact of this bill again, as I said at the outset, Mr. Speaker, is the centralized authority controlling this many people in Manitoba, and consequently this is the reason we are voicing our alarm. Thank you.

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

MR. CRAIK: Mr. Speaker, I would like to speak on Bill No. 9 inasmuch as it affects directly an area which I represent and from which there has been a good deal of comment with respect to this bill outside of this House.

The other day, Mr. Speaker, when the Minister of Finance introduced the Succession Duties Act Repeal, in his usual syrupy and derogatory manner was able to establish the case that it would be ridiculous to hold up this bill in light of the fact that it had become ineffective since about the year 1947 and obviously based his type of approach to it in contrast to what was happening to Bill 9 in this House. In other words, he was making direct reference, or indirect reference to the fact that Bill 9 has received a great deal of discussion in this House and it has received a great deal of opposition from the Official Opposition.

Mr. Speaker, Bill 9 is actually as ridiculous a bill as the Succession Duties Act and there's just as strong an argument for Bill 9 never getting into this House as there was for the Succession Duties Act to get passed rapidly. There's an absolutely inverse relationship and I'm very happy that the Minister of Finance established the groundwork for comparison so that Bill 9 could be meaningfully compared to that particular Act in the manner in which it was.

The Minister, in introducing Bill 9, spent most of his time making the case that it was necessary to do this to provide a co-ordinated enumeration of the Metropolitan area and made very little comment to the real meat of the bill, which is the control over the reserves which is provided by this Act. The fact is that the enumerations are now proceeding and were at that time proceeding in the municipalities and in the city, and for the cost of very little staff and computer time, there is no reason whatsoever why the information that is collected in the municipalities for enumeration on a street basis cannot be brought together for the purposes that may be required by the Minister should it be necessary for this fall. In fact, Mr. Speaker, the Minister has to do it anyway if there are going to be changes in the boundaries as we go along and on the assumption that the larger bill goes through this House.

So, Mr. Speaker, there appears to be no strong case as presented by the Minister for the passage of Bill 9 for the very simple and straightforward procedure of carrying on enumeration which is now being done and is not a major problem, and will not be a major problem to change the names of the people on the various streets in accordance with the different boundaries that may be established. So there is no basis for Bill 9 in the enumerations which was the major case made by the Minister of Finance.

What then is the reason for Bill 9? It lies, one can only assume, it lies in the desire of the Minister to control the reserves of the municipalities and of the two charter cities. But, Mr. Speaker, does the Minister not already have this power through the Municipal Board? Have not the two cities that have charters not already submitted their budgets to the Minister of Finance on a voluntary basis and had them approved and sent back for their proper processing at that level? So why then, does the Minister feel the compulsion to show the degree of disrespect that this bill does for the good will of the people whom he's dealing with when that good will has already been demonstrated on their part?

The Minister of whatever - the Minister without portfolio, cum laude or cum the Minister of Urban Affairs says this is nonsense, Mr. Speaker. But it's one of the first times that we've had a bill come into the House that was no more than an amendment to the bill which we should be talking about, which is the Greater Winnipeg Act which has been distributed, the draft of it. Why bring this in at this time if it is not a basic district of the local government that we have now, most of whom come under the authority of the Municipal Act and therefore the bill is not required; two who are of separate charters who have voluntarily co-operated as far as they could with the Minister and have had their budgets processed, therefore leaving

(MR. CRAIK cont'd) none who are not effectively controlled now. Why did the Minister want to add insult to injury to the system of local government that we have now, to the people in the local government, when he's gone through his hearings, had his battles with them, and they now have indicated their desire to co-operate on the matters which he has in here.

We disagree strongly with the draft Act which he has distributed and part of our disagreement with it has been expressed in Bill 9. Therefore, Mr. Speaker, again the question, what is the real reason for bringing in Bill 9 because it does not appear here.

What it does do - which may be the main factor - is that with the passage of the bigger Act by the time deadlines indicated in Bill 9, it means that following the date which he's set in here, September, assuming the passage of the large Act, that the power of control over reserves of the Uni-city remains with the Minister of Urban Affairs and not with the Municipal Board.

Well, Mr. Speaker, if that is the main issue, again why not bring it in in the Greater Winnipeg Act. It's not a matter of urgency. If the Minister is transferring responsibility of the Greater Winnipeg area from the Municipal Board to himself, then this is a major point that would be argued through and debated in the deliberations on the Greater Winnipeg Act. Again, no apparent reason why it should be in here. It doesn't add up, Mr. Speaker, and for that reason I would suggest at this time that the bill should in fact not be passed and therefore substantiate the valid arguments that have been made by the Opposition to this session.

I would like to move, seconded by the Honourable Member for Fort Garry, that the motion be amended by deleting all the words after the word "that" in the first line and substituting the following: "Bill No. 9 be not now read a second time but be read six months hence."

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

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

MR. F. JOHNSTON: I had started to get on my feet, Mr. Speaker . . .

MR. SPEAKER: Order, please. The vote on the amendment was taken. The main motion is before us still. The Honourable Member for Sturgeon Creek, if you have not spoken on the main motion.

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

MR. SPEAKER: On the proposed motion of the Honourable the Attorney-General.
-- (Interjection) -- On the proposed motion of the Honourable Minister of Consumer and Corporate Affairs. The Honourable Member for Brandon West. Bill 25.

MR. EDWARD MCGILL (Brandon West): I would ask the indulgence of the House in permitting this matter to stand. (Agreed)

MR. SPEAKER: On the proposed motion of the Honourable Minister of Transportation. The Honourable Member for Charleswood.

MR. MOUG: Mr. Speaker, I just got this bill yesterday and I'd ask the indulgence of the House to let this matter stand. (Agreed)

HON. RUSSELL PAULLEY (Minister of Labour)(Transcona): Mr. Speaker, the Honourable the Attorney-General stepped out of the House for a moment or two. I've sent a messenger. I'm wondering whether I could have the agreement of the House just to relax for a moment or two, awaiting his return because his Estimates are up in Supply and he also has these two bills. Would that be agreeable to my friends? -- (Interjection) -- If that's agreeable. Of course I say in reply to my honourable friend, if he had spoken on the Highway Traffic Act I wouldn't have been in this predicament.

MR. SPEAKER: The Honourable Minister of Labour.

MR. PAULLEY: I wonder, Mr. Speaker, whether you'd be kind enough to call Bill No. 4.

MR. SPEAKER: The proposed motion of the Honourable the Attorney-General. The Attorney-General.

MR. MACKLING presented Bill No. 4, An Act to amend The County Courts Act (1), for second reading.

MR. SPEAKER presented the motion.

MR. SPEAKER: The Honourable Attorney-General.

HON. A. H. MACKLING, Q. C. (Attorney-General)(St. James): Mr. Chairman, I'm delighted to be able to explain the intricacies of this legislation which I think -- I'm really saying "intricacies" with tongue in cheek, Mr. Speaker, because it's a very short simple bill.

(MR. MACKLING cont'd) However, notwithstanding its brevity and its simplicity, I would expect that the honourable members of the Opposition would want to give it careful, thorough, exhaustive, erudite, protracted, intensive consideration, and in due course of time they may give consideration to the passage of it.

In essence, Mr. Speaker, this bill provides for a similar technique that is presently available to the Court of Queen's Bench for disposition of a constitutional question should one arise during the course of litigation. It provides for the elemental provisions of notice, service of notice and so on on the appropriate parties including the various Attorneys-General and the Attorney-General of Canada and so on. I think, Mr. Speaker, with those few words I will take my seat and I think that I've given sufficient explanation of the principles involved.

MR. SPEAKER: The Honourable Member for Brandon West.

MR. MCGILL: Mr. Speaker, I would move, seconded by the Honourable Member for Pembina, that debate be adjourned.

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

MR. SPEAKER: On the proposed motion of the Honourable the Attorney-General. The Honourable Attorney-General.

MR. MACKLING presented Bill No. 5, an Act to amend The Court of Appeal Act, for second reading.

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

MR. SPEAKER: There is nothing before the House. On a point of order, the Honourable Member for Birtle-Russell.

MR. GRAHAM: Mr. Speaker, I don't know whether you heard or not, there was a request by a member on this side for the Minister to explain.

MR. SPEAKER: The point of order that the honourable gentleman raises is probably very valid. If the Chair is in error in not hearing the call for explanation, I apologize, but the vote has been taken.

The Honourable Minister of Labour.

MR. PAULLEY: One of these days you'll wake up. Mr. Speaker, I beg to move, seconded by the Honourable the Attorney-General, that Mr. Speaker do now leave the Chair and the House resolve itself into a Committee to consider the Supply to be granted to Her Majesty.

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

COMMITTEE OF SUPPLY

MR. CHAIRMAN: The Attorney-General's Department. Resolution 21(c) -- The Honourable Member for The Pas.

MR. MCBRYDE: Thank you, Mr. Chairman. I'd just like to make a few brief comments and ask the Attorney-General a few questions before we move on in his Estimates.

First of all, I'd like to congratulate the Attorney-General on the many progressive reforms that he has brought into the legal system in Manitoba. I'd also like to thank him for the visit he paid to The Pas and looked at the court facilities in the Town of The Pas, and also ask him if he's been able to convince his colleagues to renovate the courtroom buildings at The Pas as he realized was very necessary during his visit there. I would also like to suggest that if on occasion the Land Titles people are considering moving an office into the north that The Pas would be the logical location for a Land Titles office in northern Manitoba.

I'd like to ask the Attorney-General a couple of questions about the Band Constable Program on Indian Reserves and make a few comments. From what I can gather in the various communities in my constituency, this program is working out very well. However, there is one problem and that is a number of communities are half treaty Indians and half persons who are not treaty Indians. In these communities, in places like Moose Lake, there'll be a band constable but his jurisdiction only covers the Reserve, so half the community gets this on-site police service and the other half of the community is not able to have this kind of police service unless they call and have someone flown in from outside from the regular RCMP constable. So I'd ask the Attorney-General if there is any preparation of program or any possibility of extending this special constable or band constable program to the non-treaty section of some of the isolated communities in northern Manitoba.

(MR. McBRYDE cont'd)

I'd also like to ask the Attorney-General how the treaty Indian persons who have been appointed magistrates, how this is working out and if it is quite satisfactory. I understand that in my constituency it is, and it is in a couple of other areas as well I understand. My understanding at this point is that there is a treaty Indian magistrate in Norway House and one in Koostatak, and that there was a Metis magistrate but who moved out of the community in which he was located.

I would also like to ask the Attorney-General if there has been any increase in the training and assistance given to limited jurisdiction magistrates in rural areas, if they are able to afford themselves of more training and more assistance from the qualified persons that oversee them.

I also want to congratulate the Attorney-General on his announcement of a Court Communicators Program. This was requested in the Northern Task Force report, something that people have been asking for for a long time. The Friendship Centre in The Pas presented a brief to the Attorney-General on this subject. I think that there is going to be a bit of a problem in that one communication worker who speaks the Cree language is going to have considerable difficulty covering the entire north, and I hope that when his workload becomes too great that we'll be able to increase this to allow this necessary function to go on.

I would also like to ask the Attorney-General if the situation now in regards to the Intoxicated Persons Detention Act -- the Member for Rhineland will probably agree to work for the Attorney-General's Department in British Columbia because they had similar legislation in effect in British Columbia. However, there was a provision in there which allowed for the magistrate to declare someone to be a chronic or an habitual alcoholic and he could prescribe a sentence of a definite indeterminate nature to a person who was considered to have a serious alcoholic problem and who had not appeared in court but who was held over in custody a number of times because of this problem. This of course also goes into the Department of the Minister of Health and Social Development as considerable programs and facilities are necessary to facilitate that kind of sentencing procedure; but it appeared to work quite well and overcome the problem of letting people out with a serious drinking problem without coming to grips with that problem or without giving them a period at least to dry out.

So I think that's all the questions or comments I'd like to make to the Attorney-General. Thank you, Mr. Chairman.

MR. CHAIRMAN: The Honourable Attorney-General.

MR. MACKLING: Well, Mr. Chairman, I want to express my delight in having some very substantial and yet very positive enquiries about the work of my department. I have the greatest respect for those members who particularly advance constructive criticism rather than use a technique of attack without any basis -- (Interjection) -- Oh, I can take all you've got to give, and I will give much more in return, my friend. I believe in sharing.

Now, taking the questions in the order in which they were presented, Mr. Chairman, in respect to the court facilities at The Pas, they exist in the condition they've been for many many years like many other facilities that were allowed under the previous administration to become very neglected, and we are going to take steps to renovate the court facilities there. But, Mr. Chairman, I was somewhat astonished to find on my visit that there was a very unique situation in The Pas inasmuch as one could be tried on the main floor, and once having been found guilty and sentenced for an offence of two years or longer - pardon me - up to two years, you were taken by the arm and taken upstairs and there you were - for up to two years. Notwithstanding the inadequacy of the facilities there, there was an atmosphere of real friendship I felt in that facility. I thought that the people there were doing a tremendous job with the limited facilities they had. But the need in that area is for a correctional facility where the people, the inmates, the persons who were in detention will have an area in which to play, some recreational area within the building and outside of the building, because now there is none and there hasn't been for many many years. It's quite obvious that what's needed is a new correctional facility with proper treatment facilities.

Then the court building could be renovated and become an adequate court facility because it appears to be structurally sound and that has been confirmed. It's most convenient as a court building because it's right downtown in The Pas where court facilities should be. So that I've had discussions with my colleague the Honourable Minister of Health and Social Development under whose department corrections and custodial services exist, and the plans are under consideration for the development of a new correctional facility at The Pas. As soon

(MR. MACKLING cont'd) as that is complete we'll be able to remove from that building the detention of prisoners and do a proper job of renovation to provide for a first-rate courthouse in The Pas.

The honourable member also brought again to my attention, and it has been in the past, the question as to whether or not Land Titles Office facilities for the north ought to be located in The Pas. Presently, the Land Titles Registry and administrative offices for the north is with Neepawa and I admit that that to me doesn't indicate, it doesn't speak well for the convenience and effectiveness of the system, and I for one believe that we'll now have to start looking at a development of Land Titles Office facilities for the north in The Pas or perhaps in the Thompson area. Now I know that there's a growing concern about what area is going to have what facilities, but there is substantial growth in the north and I think the location of a Land Titles Office in The Pas will have to be given very serious consideration.

In respect to the special constable program in respect to Indian Bands, this is a federal program and I give credit to the Federal Government for doing a good job. It's worked out very well. The question of whether or not the province should institute a corollary system for remote areas, for areas where there are no band constables under the federal program, is something to which consideration will have to be given.

The question of the native magistrates, Indian or Metis magistrates, or their practicality and how they're working is one that I'm happy to say we found a great measure of success and I think that they have worked very well. So far as further training and instruction, I'm hopeful that continued instruction and training will be followed through the Chief Magistrate's office, and I have assurances from time to time that he does provide further instructions for limited jurisdiction magistrates and magistrates generally.

In respect to the court communicator program, I think the Honourable Member from The Pas is quite right, that the work there may well involve much more than one court communicator working from The Pas can reasonably handle. However, we wanted to develop the program. If we had sought to get more than one communicator for the north initially it might have frustrated the earlier introduction of the program and I'm content that this certainly will be given consideration as the volume of the work increases and if the need can be shown.

In respect to the Intoxicated Persons Detention Act, I have a concern that we are not spending nearly enough in respect to the treatment of alcoholics in society and I appreciate the difference that exists between the full-fledged system that they have in British Columbia and we have in this province, Mr. Chairman. In British Columbia they do have, in addition to an Intoxicated Persons Detention Act, a Detoxification Centre. Development of such a centre has been under active discussion between myself and my colleague the Minister of Health and Social Development and various organizations who would be directly involved in programming or administration of such a facility, and his department is currently looking at a number of possible buildings for utilization for that kind of purpose. It will require a very extensive amount of programming, co-ordination and planning but it's something - yes and a good deal of money - but it's something to which I am committed and that will be developed as soon as it's possible to co-ordinate all of the necessary criteria for the development of this facility.

However, in the interval, we are not completely working in a vacuum, Mr. Chairman, because the present - I believe it's the Public Health Act - provides that where there is a chronic case of sickness as a result of intoxication, the person who is suffering from that disease may be committed to an institution for his physical rehabilitation on the order of a practising physician or surgeon, so that we're not left in vacuo with this legislation and it is possible to take steps to treat people. However, I hope that shortly - and "shortly" taken in its proper context - as soon as funds, building, program can be co-ordinated, that we will have the kind of system that I think is really necessary to thoroughly treat those who suffer from acute illness, even though it's self-inflicted, whether it be by intoxicants such as alcohol or by other chemical comforts, the use of which is becoming all too prevalent in our society.

MR. CHAIRMAN: The Member for Morris.

MR. JORGENSEN: Mr. Speaker, last night we heard from the two "Righteous Brothers" the Minister of Transportation and the Attorney-General and we learned all about the law. They both solemnly proclaimed their purity insofar as the administration of law and justice in this province is concerned. But the Minister of Highways, whether deliberately or inadvertently or stupidly, I don't know which -- he can take his choice -- has given us some idea of the course that under his administration we can expect justice to follow. -- (Interjection) -- Well, Mr. Chairman . . .

MR. CHAIRMAN: Order please.

MR. CHAIRMAN: The Attorney-General has a point of order?

MR. MACKLING: I rise on a point of order. I realize, Mr. Chairman, that under my estimates there is great flexibility inasmuch as my estimates do cover a variety of programming. However, I don't believe that as part of the consideration under my estimates is the consideration of the remarks of any member of this House dealing with any other subject matter than what is contained in my estimates.

MR. JORGENSEN: That, Sir, has to be the stupidest thing . . .

MR. CHAIRMAN: Order, please. Order. Order, please. I would ask honourable members, when someone does rise on a point of order, to give the Chair an opportunity to rule whether it is a point of order or it is not a point of order. In my view, since the Minister of Transportation himself brought this into the debate last evening, I have no other alternative but to suggest to the Honourable Attorney-General that he has not a point of order. The Member for Morris.

MR. JORGENSEN: Thank you very much, Mr. Chairman, and I will attempt not to exceed the bounds of what I believe are my rights in debating the Department of the Attorney-General. What the Minister of Highways has done is given us some idea of what he believes is the proper course of justice and what we can expect justice to be in this province if he has anything to say about it. If it's Conservative, it's wrong. That's what he said last night. That was the essence of everything he said. To listen to the Minister one would have thought that the only time that this country has ever seen justice is when he came to the province. Well, Sir, anybody that has followed the course of justice in this province and the administration of justice in this province, cannot agree with that concept. He said that openly and without reservation, and yet almost in the same breath, had the audacity to say, "Justice will be served," in spite of the fact that he says if the Conservatives are wrong, they'll get no hearing as far as he's concerned.

Justice according to whom? Not certainly justice held by the long concept of justice that we had in the province we've been guided by for so many years. Not justice according to the concept that a man is innocent until he is proven guilty. And not justice according to the judgment of one's peers, but justice, Sir, according to the dictates of the Minister of Highways. -- (Interjection) -- Execute them! I won't repeat the entire quotation. Executethem, says the Minister. That's his concept of justice.

Oh, the Minister of Highways will quote instances where there has been miscarriages of justice, where there has not been the kind of justice that I'm sure he and I agree would like to see applied in this country; and I think there has been some justification for some of the remarks that he made. I believe, along with him, that to a large extent and certainly not by intention, that there is a law for the rich and another one for the poor. Not by design, as I said, but because of our efforts to safeguard the right of the individuals and because of that attempt to safeguard the rights of the individual and to protect the individual against a heavy-handed application of the law which the Minister would like to apply, those with wealth do have an opportunity to pursue every avenue to establish innocence. It doesn't always work that way though because the sentences that are passed out from time to time would indicate that no matter how much wealth you've got, you can't escape the application of the law.

But the reason I supported the abolition of capital punishment, because there was a firm belief in my mind that there was a law for the rich and a law for the poor and that a rich man would have a better opportunity of not having the penalty applied than the poor man and since there is difficulty in trying to equalize that, it was better to attempt to equalize the penalty and the risk of taking the life of an innocent would be removed.

Now, you won't find that on the record of the House of Commons because during the week that measure was being debated in the House of Commons, I happened to be engaged in a flood in Morris and was removing my family out of there; I never had an opportunity to participate or vote in that debate. But had I been there that would have been the burden of my comments and that would have been the reason for voting that way. The Minister is so desperately looking for some compliments and I want to show him that I'm fair, because I'm going to compliment him on his effort to attempt to equalize that, to provide for the poor people, those who cannot afford the high-priced lawyers like my friend, the Minister of Mines and Resources, provide them with an opportunity of defending themselves and to ensure that there is greater equality before the law. I want to compliment the Minister on his efforts to achieve that greater equality.

(MR. JORGENSEN cont'd)

But that's not what the Minister of Highways says. His idea of justice is that which is proclaimed by himself. He examines a case, determines the political affiliation of the individual, and then accuses judges and pronounces sentence immediately. Not, Sir, by the divine power of wisdom which he honestly - and I honestly believe that he thinks he has - but because Filuk has established a political affiliation and that judgment then becomes automatic. -- (Interjection) -- Rubbish! The Minister of Highways said so himself last night about the case in Swan River. What was his reason for having the Attorney-General submit an appeal in one case? He said the Magistrate was Conservative, the Crown Prosecutor was Conservative and the accused was Conservative. What other reason did he need? That was the words of the Minister himself. -- (Interjection) -- Well, he got off because he appealed. -- (Interjection) -- Because he did not accept, he just simply didn't accept the decision -- (Interjection) -- Well, he calls it rotten justice, Sir, rotten justice because a man will not take the charge and fights it, which is his right under the courts. Anybody could have done it. Any one of that group could have done the same thing, they chose not to. That's their decision. Surely the Minister is not going to - in addition to the other charges he made, the other statement that he's made - is not going to deny the man the right to . . .

MR. CHAIRMAN: Order, please.

MR. GREEN: I just want the honourable member to - I want to ask him because I'm sure he's not intending to mislead - I'm positive of that. It was the Crown who appealed under their right to appeal. The man pleaded not guilty, was acquitted as I understand, and then the Crown appealed the acquittal.

MR. JORGENSEN: That is exactly what happened. But what the Minister of Highways said, that the man, because he defended himself, was guilty. That was wrong. Because he defended himself and was dismissed. He should have gone along meekly like the others. Now I don't know too much about the case other than what the Attorney-General has put on the record. He said there were a number of these people and one - the one man decided that he was not guilty and fought it and was dismissed. But the Minister of Highways says, No, he's wrong because he did that; and this is the same Minister who's talking about justice and his heavy-handed application of it.

Well, Sir, we've seen the zeal with which the Minister pursues his goals in his self-righteous prosecution of highways personnel within his department, gives us some idea of what his idea of justice is. He lost, Sir, he lost a campaign. . .

MR. CHAIRMAN: Order, please. Order please, I don't intend to holler "Order." I think the decorum of this House, if we're going to have legitimate debate, when I ask for order, I must have order. The Minister of Mines and Natural Resources.

MR. GREEN: Mr. Chairman, I'm just rising on a point of order. I appreciate your ruling with respect to the Honourable Member for Morris' remarks and I also concede that the remarks that he is making relate to the remarks that the Minister of Transportation made, but surely there should be some - and the Member is certainly well enough skilled in debate to do it - there certainly should be some element of attaching what he is now saying to the manner in which justice is administered by the Chief Administrator in the office, namely the Attorney-General, rather than to relate the administration of justice through the Minister of Transportation who is not responsible for it.

MR. CHAIRMAN: Order, please. Order, please. When someone rises on a point of order, it is the prerogative of the Chair to rule whether he has or has not a point of order. I might wish to speak to that particular order and I really don't appreciate being interrupted before I recognize someone in a debate. The Minister of Mines and Natural Resources.

MR. GREEN: It may be that the Member for Morris wishes to speak to the point of order before you make a decision.

MR. CHAIRMAN: That is true and I was about to recognize the Member for Morris but until I have done so I would appreciate the opportunity to recognize him.

MR. JORGENSEN: Thank you, Mr. Speaker. I apologize for being just a little bit presumptuous in rising on my feet too early. I'll try not to let that happen again.

But I did want to rise on the point of order because what I was attempting to do was to point out that the Minister of Highways is trying in his crude way to usurp the authority and the power of the Attorney-General's Department and I was attempting to point out that in my view this is not a proper responsibility of the Minister of Highways. What the Minister of

(MR. JORGENSEN cont'd) Highways did, and I want to illustrate this as an example of how he attempts to usurp that authority; his persecution of the personnel of his own department in the Dauphin scandal. You know, the RCMP in a secret service conducted an inquisition that was staggering in its proportions and one would have thought that with the amassing of this volume of evidence against these people that he would have had their heads. There would have been hangings all over the place, executions. But what happened? When the Minister's version of the Nuremburg trials was over, Mr. Daniels was ordered to pay \$17.50. That was the total sum of those horrendous charges that the Minister laid against this individual of the department. One man only of the number that were charged, one man, \$17.50. I'd like to ask the Minister how much did the inquisition cost. . .

MR. CHAIRMAN: Order please. Order please. It nears the hour of adjournment. Committee rise. Call in the Speaker.

IN SESSION

MR. SPEAKER: Order. The Honourable Member for Winnipeg Centre.

MR. BOYCE: Mr. Speaker, I beg to move, seconded by the Member for Flin Flon, the report of the Committee be received.

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

MR. SPEAKER: The hour being 12:30, I'm leaving the Chair to return at 2:30.