



FOURTH SESSION — THIRTIETH LEGISLATURE

of the

**Legislative Assembly of Manitoba**

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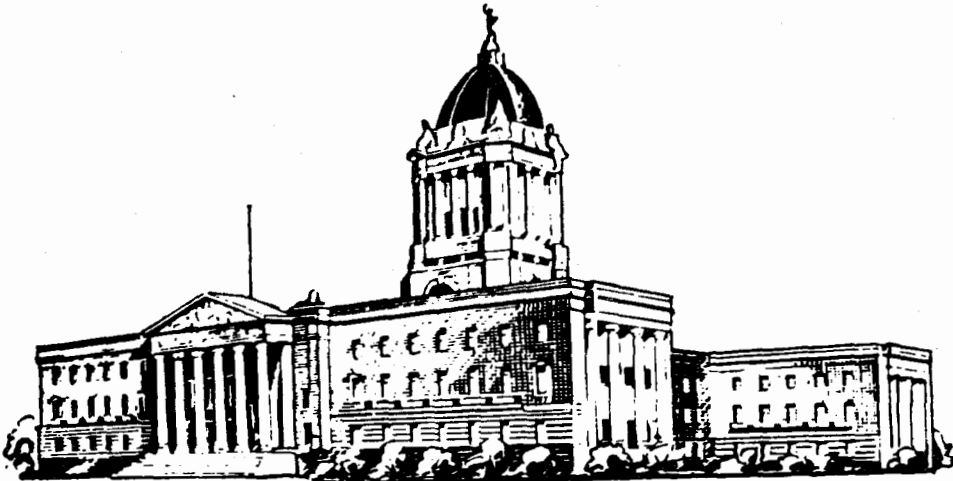
**DEBATES  
and  
PROCEEDINGS**

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The Honourable Peter Fox  
Speaker



VOL. XXIV No.59A THURSDAY, MAY 12, 1977 2:30 p.m.

TIME: 2:30 p.m.

OPENING PRAYER by Mr. Speaker.

**MR. SPEAKER, Honourable Peter Fox (Kildonan):** Before we proceed I should like to direct the attention of the honourable members to my gallery, where we have as our guest, the Honourable Edward D. Smith, Speaker of the Legislative Assembly of British Columbia, and Mr. Horne, Clerk of the Legislative Assembly of British Columbia. On behalf of the honourable members, we welcome you here this afternoon.

We also have 46 students, Grade 11 standing, of the Princess Elizabeth School from Shilo, under the direction of Mr. Balkwill. This school is located in the constituency of the Honourable Member for Brandon East, the Minister of Industry and Commerce.

And 32 students, Grade 9 standing, of the John Pritchard School, under the direction of Mr. Kroeker, from the constituency of the Honourable Member for Rossmere, the Honourable First Minister.

And 110 students, from the Portage Collegiate High School, under the direction of Mr. Bills, from Portage la Prairie. This school is located in the constituency of the Honourable Member for Portage la Prairie.

On behalf of the members, we welcome you as well.

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

### INTRODUCTION OF BILLS

**HONOURABLE SAMUEL USKIW, Minister of Agriculture (Lac du Bonnet)** on behalf of the Honourable Minister of Labour, introduced **Bill (No. 77) An Act to Amend The Pension Benefits Act.**

### ORAL QUESTIONS

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

**MR. BOB BANMAN:** Thank you, Mr. Speaker. I direct my question to the Minister in charge of the Manitoba Development Corporation, and would ask him if there has been an assessment made of the costs to Flyer with regard to the warranty problems of the Flyer busses sold to Regina and Edmonton?

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

**HONOURABLE SIDNEY GREEN (Inkster):** Mr. Speaker, in every transaction involving a company of this kind and purchasers there is a warranty assessment. Flyer issues a good product, its busses are operating in many parts of this country and the United States to the satisfaction of the purchasers. As far as I am aware, Mr. Speaker, there are no more difficulties with — (Interjection) —

**MR. SPEAKER:** Order please.

**MR. GREEN:** Mr. Speaker, I want to tell my honourable friend that when I was on municipal council there was a strong lobby of G.M. that used to run down everybody else who bid against them, that apparently still exists. But Flyer stands up behind its busses; any problems as between Flyer and a purchaser are handled in the same way as between G.M. and a purchaser, of which there are problems.

**MR. BANMAN:** A supplementary question, Mr. Speaker. I wonder if the Minister could inform the House whether the cost of warranty now being asked for by the Regina and Edmonton municipal authorities will be borne by Flyer or by the suppliers of the transmission and automotive parts.

**MR. GREEN:** I assume that if the transmission supplier is as honourable as is the Government of the Province of Manitoba — and the transmission supplier is a private firm so I can't be quite certain of that — that the transmission supplier will live up to his commitments just as we will live up to our commitment.

By the way, Mr. Speaker, I am not aware of any problems to which my honourable friend directs his question, any more than there would be problems between G.M. and its purchasers, between Ford and its purchasers, where they have to call in vehicles — this is a normal fact of industry. I am not aware of it with respect to Flyer.

**MR. BANMAN:** I wonder if the Minister could tell us whether Flyer warrants their busses longer than the parts that they buy from different manufacturers.

**MR. GREEN:** Flyer warrants their busses in accordance with the specifications of the purchasers.

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

**MR. SIDNEY SPIVAK:** Mr. Speaker, my question is to the Finance Minister and it relates to the job employment program. We have some advertising that has been placed on the desk and there has been advertising in newspapers. I wonder if he can indicate to the House the estimated cost of the total advertising program in relation to the job program including all the costs with respect to the

make-up of the advertising program itself and I wonder as well if he can indicate how many jobs have been created as a result of the government advertising?

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

**HONOURABLE SAUL A. MILLER (Seven Oaks):** Mr. Speaker, I can't answer the kind of detailed question the member is posing. This has been issued, I know, by the Department of Industry and Commerce who is handling this particular part of the total program. Various departments or agencies of government are in charge of their particular areas of the program, delivery of it. It's just starting to get off the ground now as indicated by this particular information which I assume has been mailed out to businesses in Nanitoba. I do know this, that if this kind of information is not made available, of course, no one would be able to apply and take advantage of the program.

**MR. SPIVAK:** I wonder if the Minister can indicate whether any guidelines were set with respect to the percentage of advertising costs to be applied with respect to the amount of money allocated for job formation or is this an unco-ordinated effort on the part of the government?

**MR. MILLER:** Mr. Speaker, what the honourable member is asking is if common sense was used. I'm pretty sure it was.

**MR. SPIVAK:** I wonder if the Minister would be in a position to indicate when the material that's been available to us and the other advertising material was arranged for and printed? I wonder if he could indicate the specific dates to the legislature. He may not have this at his fingertips, he may have to take it as notice but I think it would be important to know when this took place.

**MR. MILLER:** The member is asking what dates this printing took place. I will inquire from the Department of Industry and Commerce, because I assume the Minister wouldn't have the answer either and I'll get the information for the member.

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

**MR. SPIVAK:** Mr. Speaker, my question related to this would be to the Minister of Industry and Commerce by way of final question.

In the brochure that's handled by the department and which is titled Jobs and Small Business, there is reference to the fact that funds will be allocated on a regional basis and priority given to regions with the highest unemployment rates and the least number of job vacancies. Can the Minister indicate whether he has any statistical data which is available, which would show the regions indicating the unemployment rates in the regions and if this information is available, would he furnish it to the legislature?

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

**HONOURABLE LEONARD S. EVANS (Brandon East):** Yes, Mr. Speaker, that information is available to every citizen of Canada. The Canada Manpower offices maintain registrations of persons seeking employment throughout the province. They have a large number of regional offices. This information, therefore, is available on a regional basis from that Federal agency and it does give you some measure, it does give you some measure of the degree of unemployment problem in that particular area.

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

**MR. LLOYD AXWORTHY:** Mr. Speaker, I have a question for the Minister of Finance on the same subject. Can the Minister indicate if the Provincial Government is planning to apply any further capital construction programs to public service institutions like hospitals or universities, as part of an economic stimulus and can he indicate if he plans to make any announcements in that regard?

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

**MR. MILLER:** Well, Mr. Speaker, there is a component in the employment program dealing with hospitals, nursing homes and so on, but in addition to that I believe it was made known and it can be discussed in capital supply, there is funds being made available to universities for provincial financial participation in certain Centennial projects dealing with capital construction which the universities might want to entertain.

**MR. AXWORTHY:** Mr. Speaker, can the Minister of Finance indicate whether there is any plans to provide further capital assistance to the City of Winnipeg for the provision of certain services and utilities related to land development or the expansion of land development in those areas where the province itself has undertaken major land development projects.

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

**MR. MILLER:** Mr. Speaker, the moneys capital required for that sort of extension of services is available with co-operation of CMHC. I don't think it's a question of where the money will be coming from or the fact that there isn't enough money, it's a question of the pace at which the City of Winnipeg can indeed bring those services into being.

**MR. AXWORTHY:** Well, Mr. Speaker, could the Minister indicate if the province is prepared to make a commitment to the five-year capital program that the City of Winnipeg has been considering? Could he indicate what the proportion of contribution to that \$250 million capital expansion program the province is prepared to commit?

**MR. MILLER:** Mr. Speaker, firstly no five-year ' there is capital program passed by the City it's still

in discussion. Secondly, I couldn't commit at this time, five years in advance, what percentage of a total five-year capital budget would be recognized for cost-sharing with the city government. We have got a fairly good relationship with the City. We discuss with them on an ongoing basis what their needs are and to date I think we've met those responsibilities fairly adequately.

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

**MR. L.R. (Bud) SHERMAN:** Thank you, Mr. Speaker. My question is to the Honourable the Minister of Industry and Commerce and I would ask him whether he or his department had any advance warning that a major section of Greb Shoes, Greb Industries in Winnipeg, was going to be closing with the resultant lay-off of some 138 workers?

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

**HONOURABLE EDWARD SCHREYER, Premier (Rossmere):** Mr. Speaker, that question was asked yesterday of the Minister of Labour and a reply was given.

**MR. SHERMAN:** Mr. Speaker, may I emphasize that I am directing the question to the Minister of Industry and Commerce and I put it to him in view of the recent consideration of the Estimates in the Department of Industry and Commerce and the discussions we had at that time on forestalling difficulties of this kind and attempting to salvage businesses that were in trouble.

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

**MR. EVANS:** Mr. Speaker, I had no advance knowledge of this, personally. However, a senior official in my department advised me today in discussions with the company that there was a possibility of a new product line being developed in the fall and that people would be rehired in the fall, that there was a possibility of this happening. So that, while there may be some layoffs at this time, it is possible that there would be a considerable amount of re-employment in a number of months.

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

**MR. HARRY J. ENNS:** Thank you, Mr. Speaker. I direct a question to the Honourable the Minister of Municipal Affairs further to some questions raised with the recreational complex at Churchill. Can the Minister confirm that their Hydro bill on that particular complex amounts to \$180,000 a year this past year, or \$15,000 a month, and what, if any, kind of help or support is the government intending to give that town?

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

**MR. SCHREYER:** If it has to do with Hydro matters I would suggest, Mr. Speaker, that the information can be provided to the honourable member. I point out that the electrical generation at Churchill is not Hydro based, it is derived from the combustion of oil in a diesel generating system and as such it is admittedly expensive. It is in no way, Sir, a reflection of the hydro-electric generating capacity or system of Manitoba. The problem exists, Sir, precisely because of the opposite reason, that because it is a community that is not serviced, because of distance, by mainline hydro-electric energy it is based on diesel generation and is admittedly expensive.

**MR. ENNS:** Well, Mr. Speaker, I direct a supplementary question to the First Minister. A thought runs through my mind that there is a rate equalization that is in effect . . .

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

**MR. ENNS:** . . . by Manitoba Hydro as applied to different communities who have to generate their power in precisely the way the First Minister indicated.

**MR. SCHREYER:** Mr. Speaker, in fact in 1971 when the Member for St. Johns was then Minister responsible for Manitoba Hydro the policy adopted in 1971 was to equalize all electrical rates in Manitoba on the basis of size of community. As a consequence, it was in 1971 that the rates for all individual residential customers even in the diesel communities, was equalized with other communities of comparable size in the province that were served by main line hydro electric energy. The only difference is that we did not at that time equalize, it remains today the same as it did twenty years ago. There is a different rate for diesel communities, for non-residential use. Now maybe it should be equalized, but it never has been in the past. It is something which may have to be contemplated now, and it is a problem which is admittedly aggravated, compounded by the cost of diesel electric generation, as a result of the approximate 300 percent increase in the price of diesel fuel in the western world.

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

**MR. ENNS:** Well, Mr. Speaker, a final supplementary question directed to the First Minister. Can he provide us with the information, and he may wish to take this question as notice, as to a dollar value of power loss as resulting from the overflow at Missi, because of inability to use a full designed capacity of the CRD?

**MR. SCHREYER:** Yes I can, Mr. Speaker, although just to avoid confusion, that has no relevance to the cost of diesel generated power at Churchill. There is no connection at all, and I just want to make that clear since Churchill is in an isolated diesel system.

Now insofar as the separate question that the Honourable Member for Lakeside is concerned, the amount of water that is being passed at Missi Falls, if all of that were diverted to bring the diversion

flow up to 30,000 feet per second, then it would make a difference equal to approximately the output of one of the two coal burning steam generators at East Selkirk or at Brandon.

**MR. SPEAKER:** Before we proceed, I'm informed that we have some more visitors. We have 35 students, Grade 10 standing of the Ste. Rose School, from the constituency of the Honourable Member for Ste. Rose. We welcome you as well. The Honourable Member for Portage La Prairie.

**MR. GORDON E. JOHNSTON:** Mr. Speaker, I address this question to the Honourable the First Minister. It is on a matter of visits of Quebec Cabinet Ministers. When a Quebec Cabinet Minister communicates with the government, and indicates that they wish to meet with members of your government, what is the government policy? And I'm talking now about wishing to meet and discuss matters of trade or other matters based on the premise of Quebec separation.

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

**MR. SCHREYER:** Mr. Speaker, the policy is exactly as has been contained in a *communiqué* issued by the four Western Premiers last weekend, and that is that insofar as inter-governmental relations are concerned, bearing on all matters of an inter-governmental, or inter-administrative nature, that we wish very much to attempt to maintain normal intercourse as between the provinces. But we also make it clear that we do not in any way intend to be seriously engaged in any discussions having to do with political sovereignty, economic association, free trade, customs unions, common markets, etc., etc.

**MR. G. JOHNSTON:** Well, Mr. Speaker, to the First Minister. Could he describe the circumstances of the last two visits we have had from Ministers of the Crown from Québec? Was there a previous indication from them that they wish to discuss matters pertaining to their affairs after their proposal, which of course we all know, is to separate Canada? To rephrase my question, what was the government's response, and did they know full well that those Ministers were coming here to discuss matters, that they wanted to discuss based on separation?

**MR. SCHREYER:** Well, Mr. Speaker, since this is several weeks ago, I do not recall precisely, but I believe that the basis upon which the visit took place was to discuss and possibly issue a *communiqué* as to the desirability and ways and means of increasing exchange of both students and educators as between the two provinces in line with the same kind of exchange that is provided for by means of an *entente* if you like, as between Ontario and Quebec, and New Brunswick and Quebec. We have had for a few years now a similar kind of provision for student and teacher exchange. It has been at a modest level. There is some desire of maintaining and somewhat increasing that.

Beyond that, Sir, there was no other basis for the visit, but once they were here, of course, they did accept a speaking invitation to one or another association within the province, which is perfectly legitimate and perfectly valid.

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

**MR. THOMAS BARROW:** Mr. Speaker, I direct this question to the Minister of Public Works. Due to the fact that Flin Flon, for thirty years, has been putting pressure on for a Government Services building which had been ignored by former governments, can this government indicate whether there is any move in that direction, and if so will it be prior to the next provincial election?

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

**HONOURABLE RUSSELL DOERN (Elmwood):** Timing is crucial in politics, Mr. Speaker. I might remind the honourable member that there was a request from the City of Flin Flon and the RCMP to approach the Provincial Government in regard to sort of a joint venture in construction for requirements of the Provincial Government in conjunction with town and RCMP requirements. We have in fact developed a program for that building. We have met with the Council. This week an architect was appointed and I would hope that we could have a construction start in the next 90 days.

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

**MR. J. WALLY MCKENZIE:** Mr. Speaker, I have a question of the Honourable the First Minister. I wonder can the First Minister advise the House of any plans that are formulated or policy changes, maybe, that came up as a result of this meeting with the Indian Affairs Minister, the Honourable Warren Allmand and the Manitoba Indian Brotherhood re the extension of Provincial Government service to the Indian reservations without prejudicing their special status.

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

**MR. SCHREYER:** Mr. Speaker, there have been such discussions. They have been at the officials level. There has been no meeting as between the Federal Minister or any Minister of the Crown on the right of Manitoba, and no meeting as yet and I don't believe that a specific date has been set.

**MR. MCKENZIE:** I wonder if the First Minister could advise the House if the child care services on the Indian reservations will be part of those discussions related to the province in its interest in that field.

**MR. SCHREYER:** Yes, Mr. Speaker, that has been part of the discussions. I'm happy to say that to the best of my information the Government of Canada does acknowledge in a more clear way than before, its responsibility jurisdictionally and financially for that service to that group of young people.

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

**MR. GEORGE MINAKER:** Mr. Speaker, my question was a supplementary question to the Honourable Member for Flin Flon's to the Minister of Public Works. I wonder if possibly the First Minister could answer: In view of the reply of the Public Works Minister that the announcement would come within 90 days, could the First Minister advise the House if that would be prior to the calling an election or at the same time?

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

**MR. SCHREYER:** Mr. Speaker, 90 days may be significant in the sense that after waiting for many years, 90 days isn't too long to wait for an answer. I don't know what the answer is, by the way. But beyond that, 90 days in another sense might be entirely academic.

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

**MR. HARRY SHAFRANSKY:** Thank you, Mr. Speaker. A question to the First Minister. In view of the recent headline in the Winnipeg Tribune, can the Minister confirm that the Tories have in fact admitted their mistake and have admitted to the fact that the Churchill River Diversion and the Lake Winnipeg Regulation, the total plan is credited by the . . .

**MR. SPEAKER:** Order please.

**MR. SHAFRANSKY:** . . . you know, you got me a little excited. Can I start again? Can the Minister confirm that the Tories have in fact credited the plan in the Churchill River Diversion and Lake Winnipeg Regulation followed by Manitoba Hydro today to the much maligned gentleman, Dr. Cass-Beggs?

**MR. SCHREYER:** Mr. Speaker, I would really recommend for the second or third time to the Honourable Member for Radisson that he read painstakingly and carefully the transcript of the committee meetings of Public Utilities at which Manitoba Hydro's chairman and chief engineer has answered in considerable detail, more so than I could here. If he will read that, I am sure he will find his answers in a very specific and direct fashion.

**MR. SPEAKER:** The Honourable Member for Rock Lake.

**MR. HENRY J. EINARSON:** Mr. Speaker, I direct this question to the Minister of Agriculture. I understand that the Ministers of Agriculture across this country met with the Federal Minister to deal with the problem of trying to pay off the debt in regard to exporting industrial milk from Canada to other parts of the world. Could the Minister give us some small detail as to what his position was in regard to discussing this matter with the Federal Minister of Agriculture?

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

**MR. USKIW:** Well, Mr. Chairman, in principle, we have been working in close harmony with the Government of Canada or the Department of Agriculture of the Government of Canada. We have a total pooled program in our industry here in Manitoba so it is somewhat academic from our point of view. While there are some minor refinements that we would have preferred in the federal proposal, we took the position that the larger question — and that is the question of working towards an integrated milk industry in every province of Canada — was more important than some of the small refinements that we would prefer here in Manitoba and so we are very much prepared to support the federal position. We appreciate, however, that other provinces in Canada are moving much more slowly in the direction of the integration of their milk industry and perhaps will take some years to arrive at where we are here in Manitoba. So I can understand some of the concerns and problems of some of the other Ministers. But bearing in mind, Mr. Speaker, that the Government of Canada has offered to pay off the producers' debt of \$152 million, which is a significant relief in itself, that it is reasonable that their conditions should also be attached and that we should not quarrel with the generosity of the Department of Agriculture of Canada.

**MR. EINARSON:** Mr. Speaker, I thank the Minister for his explanatory notes on that and I would like to ask the Minister if he finds his position is a more disadvantageous one compared to other provinces because we are the only province as I understand it where our milk is integrated. In other words, the 25 cents a cwt as I understand, and I ask the Minister to confirm this, is based on fluid milk and not industrial.

**MR. USKIW:** Well, Mr. Speaker, again, perhaps the member doesn't fully appreciate the meaning of our integrated milk industry in Manitoba. We have the advantage. In other words, the question is almost academic as far as Manitoba is concerned. It is quite an issue in other provinces where the industry has not been integrated as it is in Manitoba.

**MR. EINARSON:** I would like to ask the Minister a final question. The Manitoba Milk Producers' Marketing Board, are they in concord with the statement that the Minister has made to us here today?

**MR. USKIW:** My understanding, Mr. Speaker, is that in principle they agree, however, they would prefer some refinement as we would, and which we are in agreement on with them, but we are not prepared to hold up a national program for those minute refinements that we would wish to apply to Manitoba. It is very much academic to this province.

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

**MR. WARNER H. JORGENSEN:** Mr. Speaker, I should like to direct my question to the Government House Leader and ask him when he intends to reschedule the Committee on Economic Development.

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

**MR. GREEN:** Mr. Speaker, I will schedule it after the honourable members of the Opposition have had ample opportunity to digest the new information which they were given today, which they requested on many previous occasions and which they referred to as a "snow" job.

Mr. Speaker, I will also indicate to honourable members that it is my intention to introduce tomorrow a motion which will enable us to work longer and to make use of our time more expeditiously so that the committee meetings next week will hopefully be scheduled Monday, Tuesday, Wednesday and Thursday evening, so that all of the members will not have to be working during those times. But that is on the supposition that the majority of the House agrees, and agrees quickly, with the steps that we are proposing.

**MR. JORGENSEN:** I wonder if the House Leader would attempt to ensure that the reports of all the various government agencies that will be reporting before the Economic Development Committee will have their reports submitted well in advance of the meeting of those . . . .

**MR. GREEN:** Mr. Speaker, we intend to proceed reasonably as we always have done.

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

**MR. AXWORTHY:** Mr. Speaker, I have a question for the Minister of Industry and Commerce responsible for Housing. I wonder if the Minister can confirm that the Bellan Commission Land Inquiry has now completed its research and can he indicate when we might expect a report on that commission?

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

**MR. MILLER:** Mr. Speaker, the Bellan Commission has not completed, to my knowledge, and I think I would have been informed had they completed their studies. It is my understanding, as a matter of fact, that they won't be through until the end of June.

**MR. AXWORTHY:** Mr. Speaker, to the Minister responsible for MHRC. Can he indicate whether Manitoba Housing has yet presented its papers and submissions to the Bellan Commission?

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

**MR. EVANS:** Yes, Mr. Speaker, a question was asked along a similar vein a week or so ago of me and I had intended to indicate to the honourable member that there were no formal submissions as such from MHRC to the Bellan Commission and I believe I indicated that in my answer previously. There have been considerable discussions between officials in MHRC and Mr. Bellan providing answers and discussing the question of land development in general.

There was a release of specific data on prices paid for land but we believe that by releasing this information to the honourable member because he requested this information or such similar information, we believe that we might put ourselves in a handicapped position with respect to some other developers in the City of Winnipeg and we believe that it is not in the public interest to give this pre-knowledge to our competitors. However, if Mr. Bellan in his report chooses to compile these figures and release them at that time showing other developers' costs as well as ours, that is fine and we are prepared to abide by that as we must. So the point, Mr. Speaker, is that we do not feel that we should prejudice our position as a Crown agency at this time.

**MR. AXWORTHY:** A supplementary, Mr. Speaker. I thank the Minister for the answer. Can he indicate that in this information that he is maintaining privilege upon, is that contemporary prices being paid on land or does it refer to past prices say paid as of 1976? Would he be prepared to release that kind of information related to the prices paid on land purchases and acquisitions up to last year?

**MR. EVANS:** Well, I think previous prices are as important as present prices, because we're developing land which was purchased previously and, in fact, the one area of development in northwest Winnipeg was purchased some time ago and we believe that it is not in the interests of the corporation, acting on behalf of the public, the taxpayer, to make that information available at this time. We can, I believe, subsequently, but not at this time, it would put us at a disadvantage, I am advised.

Mr. Speaker, while I am on my feet, I was also asked a question from a member of the Liberal caucus, the Member from Assiniboia, with regard to the low degree of take-up of CMHC first time homeowners' grants. First of all, I say this is a Federal program, as the honourable member is aware, but we did inquire and I would point out that the reason, in our opinion and from our analyses, the reason for the lack of success, I suppose, of the AHOP program in Manitoba compared with some other cities, that is in terms of take-up, is because of the very low ceiling that CMHC has placed for eligibility for homes. In other words, to be eligible it is not only the purchaser who must qualify, but you must be purchasing a house that was under \$37,600.00. Now in the City of Winnipeg, in 1976, only 6 percent of all the new housing starts were under the AHOP ceiling of \$37,600.00. In fact, in 1976 the average new house price in Winnipeg was \$48,348.00. We have attempted to get CMHC to

raise the ceiling. I would observe that in Toronto, for instance, and Vancouver, the ceiling is \$47,000; in Edmonton the ceiling is \$46,000.00. This is one way to get a greater take-up of the CMHC grant but we have not been successful thus far in getting CMHC to raise it to what we think is perhaps a more realistic level.

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

**MR. SPIVAK:** Mr. Speaker, my question is to the Minister of Industry and Commerce. I believe he was in attendance, on behalf of the Province, at the Energy Conference. I wonder if he could indicate any particular accomplishment on his part for the people of Manitoba at that conference.

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

**MR. EVANS:** Well, Mr. Speaker, it has been made public that the Federal Government, in concert with the producing provinces, is moving towards a price increase, details of which will be made known later. All I can say is that, in being joined by the provinces of Ontario and Nova Scotia, we felt most frustrated in not being able to persuade the Federal Government and others that a price increase at this time was not justified. There are many reasons for this, some of these have been made public previously, of course.

**MR. SPIVAK:** Is it the opinion of the Minister that the Federal Government and the producing provinces are not listening to Manitoba?

**MR. EVANS:** Mr. Speaker, the Federal Government was not listening to, I would suggest, about 40 percent of the Canadian population if you include Nova Scotia and Ontario with us, because we had an identical position with Ontario at this particular conference.

**MR. SPIVAK:** I wonder if the Minister can indicate whether any policy decision has been made as to whether Manitoba will be in attendance at the next Energy Conference meeting to raise the price of energy in Canada.

**MR. EVANS:** Mr. Speaker, the Honourable Mr. Gillespie, the Federal Minister and the producing provinces were anxious to develop a mechanism to avoid any future conferences to discuss price changes and we opposed that, we felt that there should be no automatic increase mechanism. To that extent, we may have been successful, I really don't know.

**MR. SPEAKER:** The Honourable Member for River Heights, a final question.

**MR. SPIVAK:** Yes, I wonder if the Minister is in a position to indicate to the House when the likely next increase will be that the people of Manitoba will have to face, not this increase, but the next increase.

**MR. EVANS:** Mr. Speaker, to some extent this is hypothetical. The Federal Minister has indicated publicly something in the order of a dollar or has inferred at least that there is a possibility of a dollar July 1st, and a dollar January 1st next.

Mr. Speaker, I must remind the Honourable Member from River Heights, that the long-stated Federal Government policy has been to bring the Canadian national price, the crude oil price at the well-head, to the international price; and we are still below the international price by some dollars. And therefore it is the intention, it is really the policy thrust of the Federal Government and supported by the producing provinces, to get as quickly as possible to that particular international price level and this is one way of doing it, which we disagree with and we disagree with very strongly.

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

**MR. STEVE PATRICK:** Mr. Speaker, I wish to direct my question to the Minister of Industry and Commerce in reference to his answer and I thank him for it. He mentioned it's because of the ceiling but isn't the ceiling similar to many other provinces with the exception of Toronto? The Maritimes would have the same ceiling as ours and there still would be a great discrepancy, say between Regina and Winnipeg.

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

**MR. EVANS:** I don't have the ceilings for all the provinces, or all the cities, it is set on a city basis essentially as they are concerned about city or urban markets. But in the case of Winnipeg, that would apply to all of Manitoba, I believe.

I think the other element may be, if you want to compare us to Regina, there has been a greater take-up in Regina, but I also am informed that there is a greater degree of medium density housing. In other words, for some reason or other, builders and consumers are prepared, builders to build on one hand and consumers to consume or buy on the other multiple type dwellings; more so than they appear to be ready to do that in the Province of Manitoba. So that's perhaps another explanation.

What we will do, is to continue to press the Federal Government to raise the ceiling but I would also like to urge Manitoba builders to go in for a more modest type of house.

**MR. PATRICK:** A supplementary. The Minister indicated he requested CMHC to increase their ceiling — has he had any response?

**MR. EVANS:** Yes, well, there has been a recent adjustment, Mr. Speaker, from \$37,600 to \$38,500.00. That has been very recent so I am not hopeful that we will be very successful in getting another increase in this level in the near future.

**MR. SPEAKER:** Orders of the Day. The Honourable Member for La Verendrye.



**MR. BANMAN:** A question to the Minister of Finance and it arises out of calls I am sure many members on both sides of the House have received, with regard to the Job Creation Program. I would ask the Minister to confirm that students looking for summer employment are not included in the Job Creation Program.

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

**MR. MILLER:** Well, Mr. Speaker, that isn't entirely correct. It is my understanding that there are certain programs, certainly, where students will be welcome and they would apply through the Student Employment Program offices, as they have in the past, where there are now lists available of people seeking work and that's the avenue through which to apply. There are other programs where the priority would be given to other than students but, depending on the nature of the program itself, I think the best way is simply to phone the Citizen's Information Inquiry Office to get information there and to then be referred to the particular department that is actually the implementing authority.

**MR. BANMAN:** I thank the Minister. Having done what he has suggested we do, I wonder if he would possibly check and get back to the House and inform us whether there are any jobs available for students who want summer employment only under that Job Creation Program.

**MR. EVANS:** As I indicated, Mr. Speaker, through the STEP office students can apply and I believe the program of interdepartmental, that is within government, those jobs are available to students and that's one segment of the entire program. They certainly would be qualified to apply for them and get jobs within the various departments or branches of government.

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

**MR. SCHREYER:** I wonder, Mr. Speaker, if I could get some indication from the Honourable the Leader of the Opposition and the House Leader of the Liberal Party, if there is any objection or problem if we deal with the condolence motion tomorrow instead of today.

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

**MR. STERLING LYON (Souris-Killarney):** Mr. Speaker, I will not be in the Chamber tomorrow; that need not be a disability, the Deputy Leader could speak on my behalf, or Monday if you wish it.

#### ORDERS OF THE DAY

#### ADJOURNED DEBATES ON SECOND READING

**MR. SPEAKER:** The Honourable Minister of Mines, the House Leader.

#### BILL (NO. 50) - AN ACT TO AMEND THE PAYMENT OF WAGES ACT

**MR. GREEN:** Mr. Speaker, could you proceed now to Bill No. 50.

**MR. SPEAKER:** Proposed bill by the Honourable Minister of Labour. The Honourable Member for Flin Flon.

**MR. BARROW:** I stood this for my colleague, the Minister of Labour. If anyone else wishes to speak, they may do so.

**MR. SPEAKER:** The Honourable Minister of Labour shall be closing debate when he speaks. The Honourable Minister of Labour.

**HONOURABLE RUSSELL PAULLEY (Transcona):** Thank you, Mr. Speaker, and as my colleague first of all and then you properly pointed out that if any other member wishes to speak before I close the debate, it would only be in accordance with our general understanding.

May I first of all say I appreciate very much the contributions that some members of the Assembly have made in respect to this very important bill. And I say very important advisedly because, in my opinion, it is somewhat overdue that consideration be given to the orders of priority insofar as wages to employees are concerned.

I want to say, Mr. Speaker, that I have read and reread Hansard on a number of occasions and, having done so, I cannot as yet really assess the position of the Official Opposition as enunciated by the Member for Fort Garry. Because on one hand he stresses the importance of this particular bill and on the other hand, expresses the opinion, however, that it should not be proceeded with in terms of high unemployment and in an aura where some employees may be having some difficulty. So I must say to my honourable friend, I don't know which side of the coin is going to be taken by the Official Opposition when we get down to the time of truth as to whether or not this particular amendment and bill is going to be accepted because of its importance or rejected, to use the phraseology of the Member for Fort Garry, because — to use some of his verbiage — it is not timely and may upset the indications of some employers, or employer groups, from coming into the Province of Manitoba.

So, Sir, I have more or less prepared a few remarks based on my assessment of the remarks of my honourable friend, the Member for Fort Garry. It was with total amazement and shock that I sat here the other day, Mr. Speaker, and listened to the utter nonsense that was coming from the lips of the Member for Fort Garry. I have been in this House for many years and I cannot remember any time when a person in this House was so totally erroneous and so totally exaggerated, and so totally exaggerated the effects and justifications for an amendment to a piece of legislation.

The Member for Fort Garry, speaking on behalf of the Opposition, and I considered that he was, says that this amendment is luxury-type legislation. And these are direct quotes, Mr. Speaker. That it is an anti-business legislation and that he suspects that there is a total philosophical bias included in the amendments which I propose. How can he read that, Mr. Speaker, I suggest, into this amendment, is totally amazing unless it is the desire of the Honourable Member for Fort Garry to truly, in this House, state the typical position taken by the present Leader of the Conservative Party, totally right wing, totally anti-labour, totally reactionary.

We are not talking in these amendments, Mr. Speaker, I suggest, about something which is going to put employees at an advantage over their employers. We are not talking about an amendment which will disrupt the business community. We are talking about legislation which, in effect, says to an employer, you must fulfill your promises. You have employees that have been working for you. They have given to you of their time and efforts and that they are entitled to be paid for those efforts.

Yes, Mr. Speaker, it is true that the purport of this legislation is to move the status of the employee up the scale to the top of the list in cases such as bankruptcy. We are putting them ahead of the creditors. We are putting them ahead of the business community to that degree, Mr. Speaker, if you wish. We are also putting them ahead of the government with respect to the collection of taxes.

How can anyone, Mr. Speaker, justify retaining the position where the employees, who in many instances are living from hand to mouth, put in their two weeks or four weeks and at the end of that time the employer says, "I am sorry but I haven't got the money to pay you. I am sorry I cannot give you the money so that you can pay your rent or pay your mortgage. I cannot give you the money so that you can go out and get your groceries, feed your family, clothe your family, or fulfill all of the monetary commitments that you have made."

That really, Mr. Speaker, is the situation that is at present prevailing not only in this jurisdiction but in many others as well. And the purport of this legislation is to change the balance so that the employee, who has made his or her contribution to the benefits and profits of the creditors and management, can at least be assured of top priority in receiving their wages for their input.

How could we justify a position whereby this employee is left sitting out in the cold with no money in his pocket and no money coming in and, in most instances, had no chance of getting that money while the very people who make the decisions put this company into bankruptcy are taking no loss whatsoever? Surely, Mr. Speaker, there must be some feeling in the Opposition for the individual of this province who is the creator of the total gross product as a result of their involvement by way of being labourers of one type or another.

Mr. Speaker, we are not just talking about people that are in the trade union movement, as my honourable friend seems to want to stress in this House, because, among other remarks, he indicated that in this instance I may be prejudiced by desire to the trade union movement, but he knows as well as I do that less than 50 percent of the workers in the Province of Manitoba are represented by a trade union movement. We're talking in this bill, Mr. Speaker, about all employees, whether they are covered by a collective agreement, whether they are manual labourers, whether indeed they be general managers, salesmen, accountants, professional engineers, or in any other capacity, those who are employees. And all we are saying to the employer is, under this legislation, that if you are in the unfortunate position of going bankrupt, your employees, no matter what their category is, will get first call on whatever assets are left. Is this not justice? That is surely the scene that should be looked at when we are looking at this legislation.

The opposition, through the Member for Fort Garry, stated, and I want to repeat this, that this is luxury-type legislation, and would be worth considering down the road. Down what road, Mr. Speaker? A road when we have absolutely full employment, and that we don't have the problems to the same degree as we have here and elsewhere in the field of bankruptcy. I would suggest, Mr. Speaker, that if we ever reach that utopia we wouldn't need the legislation, but the time we really need it is now, when these occurrences are taking place. I suggest that if it is worth considering, it is just as important to consider it today as at anytime down the road.

Do we say to the individuals of this province, yes we recognize you have a problem, but we are going to look at it down the road, I'm sorry this is not going to be looked at now, it may have an effect on the economy. And my last sentence, Mr. Speaker, was a direct quote to Hansard my honourable friend, the Member for Fort Garry. How do we answer them when they come back to us, and say what about our economy? What about our efforts that we have put in force for this employer? Are we not going to benefit by the profits he makes, if the business goes good? We have had no input, — talking of the employees — in the managerial decisions. These decisions may very well be those decisions that put 8 industries and corporations into bankruptcy. And that is the situation prevailing today.

All we are saying is that, we have given you — this is the employee to the employer — all we are saying is that we have given our toil to you, and we expect that the promises you made to us, to pay us a salary of X numbers of dollars, is to be fulfilled. I ask my honourable friend in all seriousness, Mr. Speaker, can that be construed as being luxury, and legislation that makes for the payment to the employee be considered as luxury legislation? I suggest that if it is a luxury, it is a luxury we need in

this province, and we need it today, Mr. Speaker. And that is the purport of the amendments to The Payment of Wages Act.

The opposition say that they are disturbed that we would give employees first priority over those creditors who have loaned or invested money in corporations. Well if this disturbs them, Mr. Speaker, then so be it. I never would have believed that even the opposition, at the lowest point in time, could be as callous, could have so much total disregard for the feelings and concerns of the individuals of this province. I could not at any time, in all the years that I have been in this House, ever believe that an elected member would take a position whereby he felt that it was more important for the lending institutions to get their money, ahead of the employees, who have worked and toiled, in some cases for many years. During this time, these employees have helped their employer make the money and make the profits. They have also helped the employer, allow him to pay these very lending institutions their interest, and their return on their investment. And now we are going to say that these employees are to be thrown out on the street, possibly to wind up on welfare rolls or possibly to face the position of going into personal bankruptcy, because they haven't been given full consideration under the present law, just so we can continue to fill the coffers of the lending institutions, prior to the promises that employers made and should be fulfilled.

I suggest to you, Mr. Speaker that this government has established minimum wages. They have established vacations with pay. They have established commitments on pensions. They have established hours of work. I suggest to you, Mr. Speaker, that all of that is for naught, if we are going to allow a dozen or so employers each year, that go into bankruptcy, to continue to leave their employees out in the cold. I suggest further, that this legislation is just as important, just as critical, even though it may only be for a minority number of employees and affect a minority number of employers, just as any other piece of legislation may come to this House either now or in the future, or has been here in the past.

Mr. Speaker, I must respond to the comments of the opposition with respect to the legality of amendments to this legislation. It would appear that members of the opposition are walking around like a horse with blinders, that they have tunnel vision. They are not capable in my opinion, Mr. Speaker, of seeing what is going around them. I made the comment last week that this type of legislation has been upheld in the Court of Queen's Bench in Saskatchewan. I have studied that judgment and while, as everybody knows in this House, I have not proven my competence in law, I at least believe that I have the intellect to be able to read the judgment of those who are learned in the law.

I would also like to bring to the attention of members of the opposition that the great industrial domain to the east, ruled by the same party as the opposition, is ruled by people in a party which is now being totally critical, totally callous and totally erroneous in their caucus. In that great domain in the east controlled by opposition parties, and I join each with one another, similar legislation appeared in some of their labour legislation, in that Bay area. It was also challenged in the Court of Queen's Bench and was upheld. In Saskatchewan, it was held, their legislation, which is the same as ours, to be relevant. It would appear therefore, that there has been legal precedence for what we are attempting to do and that's only recently. A moment ago when I was talking about previous cases, precedence may have been established there but new precedence have been established as far as priority. And, as I indicated in the House the other day, I believe that the Labour Ministers, particularly those in the west, have convinced the Federal authority of the requirement of changes in legislation.

It would appear that the members of the opposition of this government, as usual, are totally out of step with the times and as usual have no concern, no qualms and no heart when it comes to the problems that are faced by individuals in this province. I'll only be one moment.

**A MEMBER:** I just want to ask a question.

**MR. PAULLEY:** Yes. Just as soon as I'm finished. I won't be long.

I do recognize the comments made by the Honourable Member for Assiniboia and it's my indication from what he said that he agrees in this legislation, that he and his group are going to support it and when we get into the committee on Industrial Relations or wherever the bill is committed, he may be raising some questions insofar as priorities are concerned and some of the terminology used in the bill. I appreciate that, but I must say Mr. Speaker, that as I tried to study the position taken by the Official Opposition, I was in a quandary for my honourable friend says it is good legislation, it is luxury legislation that we don't need today, and maybe some day down the road it might be put into the Statutes of Manitoba. I say in all due respect, Mr. Speaker, that the time is now and if it is going to be put into legislation I ask for the support of the present opposition to join with the present government in assisting us in enacting this progressive legislation because if what he means by coming into force down the road, if he implies by that that it might be with a Conservative government, I would doubt whether it would ever be put into effect down the road because I doubt very much, in all sincerity and all respect, whether my honourable friend, the Member for Fort Garry and his merry gang of henchmen will ever have the opportunity of enacting such progressive

legislation down the road because they will not be in power.

Now my honourable friend had wanted to ask me a question. I am now prepared, with your indulgence, Mr. Speaker, to attempt to answer my friend's question and I know it will be an intelligent question.

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

**MR. SHERMAN:** Mr. Speaker, I can't vouch for its intelligence, it stems from the fact that I didn't hear the complete recitation of the Minister in terms of the sequence of events in Ontario with respect to this kind of legislation. I wondered if he would repeat or elaborate on the sequence of events that took place in Ontario on this same type of legislation.

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

**MR. PAULLEY:** Mr. Speaker, it's my information and I can only give it as information given to me, that a similar attempt had been made in Ontario to introduce a payment of wages act almost the same as we are presenting here; that it did go before the court and this a few years ago — I believe the Court of Queen's Bench in Ontario — and a judgment there was to the effect that it was *ultra vires* of the Province of Ontario to pass such a legislation because it was contained in the Bankruptcy Act at the Federal level. THAT WAS MY REFERENCE AND SINCE THEN IT HAS CHANGED IN TWO RESPECTS. It is my understanding that the Bankruptcy Act, which has been taking a heck of a long time to progress at Ottawa in the House of Commons, has provision now in it to accomplish what is the desire of this. But, in addition to all of that, the Court of Queen's Bench in Saskatchewan have indicated that the type of legislation which I am now introducing is not *ultra vires* of any statute and that for some legal reason or other, the justice that made the opinion said that it is within the competence of the Province of Saskatchewan. That is the basis for my remarks.

**MR. SHERMAN:** I wonder if the Minister would permit one further question, Mr. Speaker, and I thank the Minister for his answer but would the Minister agree that, with respect to the changes that are taking place in the Federal Bankruptcy legislation or may have already been completed — in any event they have been under consideration for some time — that the opposition provincially, neither provincially nor federally, has ever expressed any opposition to the proposals in the Federal Bankruptcy legislation which would elevate the status of individual employees in terms of preferred creditor rankings in much the same way that the Minister is suggesting in his bill? The opposition has never expressed any opposition to that.

**MR. PAULLEY:** No, I'm not aware of the opposition at the Ottawa level expressing opposition to that aspect of the contents of suggested amendments to the Bankruptcy Act, my honourable friend is correct. I cannot say that they have, I don't believe that they have, but I do believe though, Mr. Speaker' that the Honourable Member for Fort Garry, speaking on behalf, as I understand it, of the Conservative Party, in his remarks indicated that while the legislation might be all right, it's no good or at least it should be postponed for somewhere down the road and I think . . . And, of course, it could well be, Mr. Speaker, it could well be that the Honourable Member for Lakeside was his advisor to put in that caveat and I wouldn't be a bit surprised. But on the other hand, Mr. Speaker, directly to my honourable friend, my interpretation of the remarks and I presume he was speaking as the spokesman for the opposition, was opposition for the bill, not necessarily total opposition but for now, and I'm happy that my honourable friend has indicated to me this afternoon, Mr. Speaker, that they are going to support the bill going to committee. What happens there, of course, is in the laps of the members of the committee.

**QUESTION put MOTION carried.**

**MR. SPEAKER:** The Honourable House Leader wish to proceed with Second Readings?

**MR. GREEN:** Yes, Mr. Speaker. Would you start at the top of the order paper, Bill No. 5 and proceed . . .

**MR. SPEAKER:** Thank you.

### **BILL (NO. 5) — AN ACT TO AMEND THE EXPROPRIATION ACT.**

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

**MR. HARRY E. GRAHAM:** Thank you, Mr. Speaker. Mr. Speaker, it seems somewhat appropriate at this time, after listening to the debate that went on in the Chamber here yesterday where we were dealing almost exclusively with farmlands and the acquisition of various properties by certain segments of society, that perhaps we should continue that debate today, only in a rather different vein and talk about expropriation and the rights of the government of the province of Manitoba to acquire title and use of land in the province of Manitoba. My leader yesterday expressed a concern that is very genuine in the province of Manitoba with respect to farmland, a concern that I have found every place I have gone, where the people are more concerned about ownership of land by government than they are by people from United States or from West Germany or Italy or wherever they come from.

However, Mr. Speaker, in this particular bill we're talking about, we're talking about amendments

to The Expropriation Act that are proposed by the Minister of Public Works and his comments, Sir, in Hansard were, I think, very very short. They appear in Hansard on Page 383, where he is talking to Bill No. 5, An Act to Amend the Land Acquisition Act and he was also talking to Bill No. 5, An Act to Amend the Expropriation Act. I suspect that probably a correction should be made in Hansard on that, but he said very little about the bill other than he said a minor change having to do with the inclusion of Crown-owned land on a right-of-way survey plan is a housekeeping procedure. Clarification pertaining to three sections of the Act as to assessment of compensation, impartial takings and payment for relocation of buildings and so on is also included. Those were about the only comments the Minister made when he introduced the bill for second reading.

Other members of our side of the House have examined the bill, Mr. Speaker, and the amendments are, in essence, very minor. However, the comments of the Minister in the last sentence, I think, deserve a little bit of attention because what he is saying in essence is that there will be, in some cases, more restrictions placed on the scope of the inquiry officer and the area that he can inquire into in assessing a fair evaluation of the property and the due compensation that should be awarded to the person whose property is being expropriated.

Sir, I have to say that we can amend the Act all we want but the application of the Act in the field is the thing that is very important. I have to say that I apologize to the House for holding this bill so long in my name when I took the adjournment quite some time ago. Perhaps it is because I am a slow learner or perhaps it is because government is somewhat reluctant to give you the information that you may require to be able to ascertain whether or not the Expropriation Act is really working and working in the interests of people.

It is my assumption, Sir, that when the Expropriation Act was introduced, the intent of the Expropriation Act was to provide a fair means by which government for its essential business could acquire property — for instance, for highways, for right-of-ways, etc. — and in so acquiring that property, there would be every assurance that the individual who owned the property would be adequately compensated. There are clauses in that Expropriation Act which give the Land Value Appraisal Commission and the inquiry officer the scope that is required to do a fair evaluation, not only of the real property value of the property, but also to assess the impact that the removal of that property will have on the individual who owned it. So I believe 26 of the Act with respect to residential property anyway, does give them the authority to work in that particular field.

But, Sir, when I attempted to look into the actual operation of the Expropriation Act and the manner in which government acquires property in this province, I find that there are some rather weird occurrences that occur. That quite often, what we think legislation will do for us, in fact, does not accomplish that at all. Where we think that the rights of the individual in society will be protected, we find, in fact, that they are not protected and that the compensation that is awarded to an individual somehow disappears and in one case that I would like to cite to you, Sir, it disappears completely. Disappears completely.

I would like to tell you, Sir, the story of a gentleman who lived in my constituency, who lived in the village of St. Lazare, a Mr. Edgar Tetreault. He and his wife purchased a house in that community in 1963. At that time, he paid \$4,000 for a fairly large lot with a house and he and his family intended to live there. Now, at that time the house had no basement under it so Mr. Tetreault proceeded to improve the property. He did put a basement in; he put two bedrooms in the basement because he had a fairly large family; he made numerous improvements to the property. That was in addition to his original \$4,000 investment. Now, several years later, — and I knew Mr. Tetreault quite well because he was an employee of Foxwarren Farm Equipment, a farm machinery business and he was a combine specialist for that business and, in fact, he has worked on combines on my farm from time to time and I have to tell you that the quality of his workmanship was excellent and his whole attitude towards serving the public was exemplary. He was a man, while he was working for wages, thought nothing of coming out at 8, 9, 10 or 11 o'clock at night when any farmer had problems. He would work as long as the farmer was working and if he needed help, he would work as many hours as was humanly possible.

In the course of his work there, Mr. Tetreault was injured and he went through a series of operations in the hospital — I think he was hospitalized for almost a year — he was on crutches; then had to use a cane, in fact, I believe that at one time they cut some bone out of his hip and grafted it into his leg and he was crippled and off work for over two years. He had some difficulty with the Workmen's Compensation Board and for a period of about a year, I understand he received no assistance whatsoever from the Workmen's Compensation Board. His wife was almost destitute and, at that time, applied for and received some social assistance. Mr. Tetreault finally got a settlement from the Workmen's Compensation Board which gives him about \$50.00 a month for permanent disability.

He can't live on \$50.00 a month but he's a man who doesn't really enjoy the stigma of receiving public assistance, and so he thought he could possibly start a small business that would help him earn his own living. With the assistance of his sons who were going to school — and His daughters

too, I think — he built on his property a greenhouse. I think it was about 30 by 80 and I know I purchased bedding plants and flowers and what-not from Mr. Tetreault on several occasions. He was able to earn sufficient money in the greenhouse business that he built a second greenhouse on that property of roughly the same size and he had roughly a gross income from that business of about \$5,000 a year, which enabled him to voluntarily take himself off the welfare rolls and he was quite happy in his business.

However, in 1974, the Provincial Government was having problems with the No. 41 highway and the hill was sliding and it was affecting property at the bottom of the hill. In fact, in 1958, it had already affected one other piece of property there and at that time government, in 1958, purchased the property of a Mrs. Fulham, moved her to a new location and built a house on that location for Mrs. Fulham. Now, in 1974, the government was attempting once more to stabilize this sliding area which was continuing to move and they were doing a series of test drillings to try and draw the water off and I don't know whether it was through the test drillings that excited the slide area or not, but I understand a water line broke or something, and Mr. Tetreault's property was flooded out. His greenhouse was under two feet of water; his basement was flooded; he lost a washer and a dryer and a deepfreezer and for reasons unknown, fortunately the gas line did not rupture but he did have a gas furnace in there and the public health people came in and told him he had 24 hours to vacate, that it was too dangerous to live in that property any longer. They told him he had to get out.

Now, you would think when government affected a person's property in such a manner, they would make some attempt at that time to offer him some compensation. To my knowledge, government made no attempt to purchase the property at that time. To my knowledge, the only assistance that was given at that time was to provide rent when he moved into a house that he was able to rent for a short period of time. The house that he moved into belonged to the owner of the bakery in St. Lazare who subsequently sold his business and moved to The Pas and also sold his house.

I could find no evidence where the government attempted to help Mr. Tetreault at this time. Did they offer to repair his house, or to repair his grounds or even, in fact, rebuild his greenhouses? As far as I can find, no action was taken on that. No effort at all was made on the part of this government that I was able to find out. When I met with the Department of Highways, they were very reluctant to accept the responsibility and yet, in 1958, the department did assume responsibility there.

When did they attempt to acquire the property? When did the Land Acquisition Branch make an offer to Mr. Tetreault I asked Mr. Tetreault these questions and he said he can't remember ever having anyone from the Land Acquisition Branch make an offer to him for the purchase of his property.

**MR. DOERN:** Would the honourable member submit to a question?

**MR. GRAHAM:** Certainly.

**MR. DOERN:** Would you just clarify the dates? Did you say '58 or '68?

**MR. GRAHAM:** In 1958, I understand.

**A MEMBER:** The Roblin government.

**MR. GRAHAM:** At that time, the government in 1958 did accept their responsibility and they did

**A MEMBER:** That's the Roblin government.

**MR. GRAHAM:** . . . and they did know that this person was severely incapacitated, lost her house, so they did, at that time, say, "Yes, we have a responsibility. We were the ones that built the highway; the road is now sliding down and it is affecting your property." So they relocated her and I don't know, but the ballpark figure that I got was that it cost approximately \$15,000 at that time to build a house. Approximately \$15,000 and that was in 1958 figures.

Since I went to the department approximately two and one-half years ago, the government has been very reluctant to assume a responsibility which they had previously shown. I have had numerous meetings with the First Minister, with the Minister of Highways and with officials in his department, and I do believe that those meetings will bear fruit. I sincerely hope they do.

But in the matter of negotiation, I can find no evidence where the government attempted to negotiate at any time with Mr. Tetreault. In fact, the first piece of evidence that I can find is an expropriation order and I believe there was an expropriation order dated probably back in December 1975.

Now, Mr. Speaker, if the government is going to expropriate a person's property, under Section 26(e) of the Expropriation Act, it states that compensation must include — and here I am quoting — "an amount in addition to the market value of the land, and any amount for improvements under clause (a) necessary to enable the owner to acquire other land that will afford him residential accommodation at least equivalent to that afforded by the land expropriated. I find that where there was an attempt made to relocate Mrs. Fulham in 1958, there was no attempt made to relocate Mr. Tetreault and yet I think the Expropriation Act does give them authority to move in that direction if that is satisfactory to both parties.

Now, in desperation, the Tetreault family rented the house in St. Lazare as a temporary measure

and the rent was paid by the government until April, 1974. Subsequently, they were forced to move to Lorette because their house had been sold. And when he moved to Lorette, Mr. Tetreault moved into, I believe, three rooms upstairs on the second floor in a house in Lorette. Within the next seven months Mrs. Tetreault died of a heart attack.

Now I understand that under the original expropriation offer that was issued — and Mr. and Mrs. Tetreault, I believe, owned their land as joint tenants and not as tenants in common, and I understand there is a fairly significant difference between those two terms, so that an offer was made both to Mrs. Tetreault and to Mr. Tetreault and I understand it was an original offer of \$2,000 to each person. And there was a letter dated March 31st from the Land Acquisition Branch to that effect. I think those letters are all in the Minister's office. He has copies. It's file Highway 163-76. I'm sure he has all those letters.

However that offer, and this was in 1976, was for \$4,000, which, Mr. Speaker, was the same price that he originally paid for the property in 1963. Both the house and the land had undergone substantial improvement at considerable cost to Mr. Tetreault. As well as that additional buildings which provided Mr. Tetreault with his livelihood — two greenhouses — were built on that property. None of that was taken into account in that offer.

Now I checked with a real estate dealer in Winnipeg here just recently to try and ascertain what the increased market value of the house from 1963 to 1976 or 1977 would be without any further improvements to the house and he told me it would be in the neighborhood of 300 percent. We do know that in that same period of time, from 1963 to 1976 or 1977, personal income has tripled, the consumer price index has doubled and the average wage has more than doubled, yet no consideration at all was given for these inflationary factors in the offer.

Surely you can appreciate that \$4,000 is far less than the actual value of the property and the potential that it represented for Mr. Tetreault. —(Interjection)— Well, Mr. Speaker, Mr. Tetreault did seek legal advice. He applied for a legal aid certificate which I understand, and I was talking to Mr. Ron Meyers, the Head of the Legal Aid, and he said, "Yes, there was a certificate issued for Mr. Tetreault and a lawyer by the name of Mr. Huband, Mr. Charlie Huband, was supposed to be acting for Mr. Tetreault." However, he also told me that Mr. Huband had never submitted a bill to Legal Aid for any of the work he had done. But Mr. Tetreault also told me that Mr. Huband never did any work for him.

Well, Mr. Speaker, here is a man who has had no experience with a lawyer. I don't know if he had ever seen a lawyer in his life before. He's living in a small village where there are no lawyers and he had asked because Legal Aid had advertised — I imagine Legal Aid was advertising in that area — that they were there to help people in exactly the situation that Mr. Tetreault was. He took the necessary steps but the legal assistance somehow didn't materialize. —(Interjection)— Well, that's easy to say for the Minister of Mines who is a lawyer and I suspect a very capable lawyer too and he is very knowledgeable about the law. But I'll tell you, to a man who is living in a small village who has never seen a lawyer in his life and doesn't know anything about the law, Legal Aid is supposed to help him. I suspect that he put his full faith in the fact that they were going to help him. —(Interjection)— He was living in Lorette at that time but I didn't want to raise that issue.

Through this course of events, Mr. Tetreault, who entrusted his case to Legal Aid, failed to appear at a land appraisal due to the failure of Legal Aid to help him clarify the situation and to the inability of the Department of Highways to post responsibility for the initial damage on any given party.

Mr. Tetreault later sought the help of the firm of Marcoux, Betournay and Guay and that was only because Mr. Guay offered to help him, not through Legal Aid, but offered to help him and offered their assistance at no cost to Mr. Tetreault.

Now, Mr. Speaker, I'm very pleased to see that there are still people practising the legal profession who are willing to help people without costs when those people cannot afford . . . .

Now, Mr. Speaker, according to an Order in Council dated July, 1976, Mr. Tetreault was to receive an interim payment of \$1,800.00. Now that Order in Council was No. 336. But that Order in Council has some rather strange conditions attached to it, Mr. Speaker. This is an Order in Council for the Minister of Highways and Public Works and it's dealing with the expropriation. And it says,

"And whereas the Department of Public Works in conjunction with the Department of Highways require a parcel of land for the proposed relocation of Provincial Trunk Highway Number 41 in the Village of St. Lazare and to stabilize the slide area adjacent to the said highway.

"And whereas the Land Acquisition Branch of the Department of Public Works has been unsuccessful in obtaining an agreement to purchase with the owner."

Now, Mr. Tetreault tells me that the Land Acquisition Branch, to his knowledge, never made him any offer. —(Interjection)— Well, they have been unable. If they make no offer they have been unable. —(interjection)— This is under expropriation.

"And whereas the land acquisition, and whereas it is considered expedient and advisable to acquire the said land in order to relocate PTH No. 41 to stabilize the area, this notice of intended expropriation dated December 30th and also dated 1975, and the latter having been registered on the

9th of January, 1976 . . ." and so forth and so on.

And whereas it is considered expedient and in the public interest to direct the confirming authority to make an Order confirming the declaration without an inquiry being conducted."

Now the Lieutenant-Governor does have the authority to do that, Mr. Speaker, under The Expropriation Act, to leave out an inquiry of it.

**A MEMBER:** It takes a very short time.

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

**MR. GREEN:** Would the honourable member know whether that inquiry has nothing to do with compensation for the man, merely whether the road is taken, that the man's rights vis-a-vis confiscation and a hearing as to how much it should be, are in no way disturbed by the failure to hold an inquiry as to whether it should be part of the road or not.

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

**MR. GRAHAM:** Mr. Speaker, whether or not the Inquiry Officer is necessary or not, it does, I think, without an Inquiry Officer, it does try and confine the activities. This is my understanding of it anyway.

Now, according to this Order-in-Council, Mr. Tetreault . . . \$1,500.00.

**MR. SPEAKER:** Order please. The honourable member has four minutes.

**MR. GRAHAM:** Mr. Speaker, however the province refused to turn this amount over to Mr. Tetreault or to his lawyers. They refused to because Mr. Tetreault had borrowed money from the Foxwarren Credit Union, and they had registered their mortgage in 1972. But on top of that the Department of Health and Social Welfare had placed a lien against Mr. Tetreault, registered May 8th, 1974, Lien No. 36557, for about \$5,600, for money that was advanced to him because of activity of government which did not provide him with his compensation money. For twelve months he received no compensation. He had to draw social assistance. Now his property is being taken by government and they are now penalizing him some more; they are saying, "We're going to take that money back that we gave you because we made a mistake on the . . ."

Mr. Speaker, the reason for this lien is not clear, and remains to be explained. However, the imposition of this lien does appear to be a rather arbitrary decision.

It is interesting to note that the Foxwarren Credit Union, which is a private enterprise, is quite willing to exercise lenience in Mr. Tetreault's case. Yet this people's government has given no indication of any kind of compassion.

There are several points that I would like to raise at this particular time, Mr. Speaker, and I know that I may not have sufficient time, so I would ask for leave of the House to complete this, if I may have that? (Agreed)

Very well. The appraisal of the property was conducted two years after the house and grounds were destroyed by the flood waters and the shifting of the land. No allowance was made for the condition of the property prior to the damage, nor was there any consideration for the inflationary factors in the offer under expropriation. The province still hasn't accepted the responsibility for the damaging of the property, and confusion reigns in the ranks of the government when this expropriation is being discussed.

Mr. Tetreault, a man who is unfamiliar with the numerous working aspects of the government, is not seeking a large unreasonable settlement. He would prefer to be supplied with another house similar in size and quality of the one he left three years ago.

There is a precedent, Mr. Speaker, in this case, in the Fulham case of 1958. Mr. Speaker, this whole story clearly indicates that no matter how much we amend the Expropriation Act, you will not make the Expropriation Act any better. The whole problem lies in the application of the legislation that we bring into this House.

Now, Mr. Speaker, over the past several weeks I have attempted to speak to the First Minister about this question, and I have to say that the First Minister of this province probably is a more sympathetic person than the Minister of Mines and Natural Resources. Because the First Minister has assured me that he has set up a one-man commission under the chairmanship of Mr. Elswood Bole, to assess this whole case. But, Mr. Speaker, I would hope that in that reassessment by Mr. Bole, I hope that he would take into consideration the fact that the caveat registered by the Department of Health and Social Development, was for assistance given to Mr. Tetreault was because of the action of government. The assistance was given because of the arbitrary action of government and government should, in that respect, have no right to attempt to collect on that lien. I would hope the government waives that lien in that particular case.

But, Mr. Speaker, the case of Mr. Tetreault now rests in the hands of one man who will make a recommendation to the government, and I would hope that the government will be as sympathetic as the First Minister.

Mr. Speaker, here is a man who has not been treated fairly by government; has not been treated fairly by the Expropriation Act or by the Land Acquisition Branch or by the Land Value Appraisal Commission, and where can he go? He applied for legal aid and Legal Aid didn't help him. He has



now got some assistance free of charge from another legal firm, and at the present time we are now waiting to hear what Mr. Bole will recommend in this case.

The reason I raised it at this particular time, Mr. Speaker, is because I think it is very appropriate that we should talk about matters of how expropriation affects people. The Expropriation Act, Mr. Speaker, is designed to protect people, not government. It is there for people and the use of people. But that is something that I think the Minister of Mines would love to argue about.

Mr. Speaker, if I have been somewhat tardy in speaking on second reading on this bill, it is because I have found it very difficult to get information about expropriation and actions of this government. Much of that information still is not forthcoming. I don't know what is so secret about activities of government, but I just point out to you one case where we see what can happen to one individual in society, when the bureaucracy that is built up, and the legislative procedures, that we bring forward in this House affect individuals.

The changes that we have put forward in this amendments to the Expropriation Act, Sir, I do not think will ever prevent another case of this happening. I don't know how many other cases there are in the Province of Manitoba. We do know that there was half a dozen houses in Ainnipeg not too long ago, that. . .

**MR. SPEAKER:** Order please. Although the honourable member had leave, our time has run out. We are now into Iprivate Members' Hour.

**MR. GRAHAM:** Well, Mr. Speaker, I'll just close it off with that right there.

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

**MR. DOERN:** Mr. Speaker, in moving the adjournment, I will be closing debate. I just wanted to make sure that the Member for Morris understood the rules. So therefore I move, seconded by the Honourable Attorney-General, that debate be adjourned.

**MOTION presented and carried.**

#### **PRIVATE MEMBERS' HOUR - PUBLIC BILLS**

**MR. SPEAKER:** The first item is Public Bills. Bill No. 17. The Honourable Member for Flin Flon.

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

#### **BILL NO.(17) - THE FREEDOM OF INFORMATION ACT.**

**MR. SPEAKER:** Does the Honourable Member for Portage la Prairie wish to speak on Bill No. 17?

**MR. G. JOHNSTON:** With the member's permission, I would like to.

**MR. SPEAKER:** Ver well.

**MR. G. JOHNSTON:** Mr. Speaker, it was not my intention to speak on the bill that was so ably introduced and spoken to by the Member for Fort Rouge, but it gave me some cause for concern when the Member for Flin Flon, for several weeks now — several months my colleague reminds me — has held the adjournment of this bill, and it would lead me to believe, that members on the government side do not wish this bill to come to a vote. —(Interjection)— Well I thank the House eader for that assurance. He says that he would like to see the bill to come to a vote. And Mr. Speaker, I don't doubt for one moment that the House Leader will be leading the fray to vote this bill down, because one of his more famous statements concerned one of his responsibilities, which was answering for some of the actions of a former manager of Flyer Industry, Mr. Thomas Ault, when the House Leader said, and I'm paraphrasing what he said now, but he said: "everything that the public can get value from knowing, I will tell them."

**MR. SPEAKER:** Will the Honourable Minister of Mines state his matter of privilege?

**MR. GREEN:** Mr. Speaker, I made no such remark. I was asked why I did not call a press conference to announce this, and I indicated that I would call press conferences, when I felt it was necessary to do so. I never refused to answer the questions. I certainly don't intend to call press conferences to announce that a manager has left one of our corporations.

**MR. SPEAKER:** The Honourable Member for Portage La Prairie.

**MR. G. JOHNSTON:** Well, Mr. Speaker, I certainly accept the House Leader's word, but I only go on this case, by what was reported by a reporter in a newspaper, and my recollection is, Mr. Speaker, that the Minister did not deny it at the time.

Now, when my colleague from Fort Rouge introduced his bill, he quoted at length from other jurisdictions, and he quoted at length from other parliamentarians. I have in front of me, and I will not quote from them, but I have a stack of about eight or nine speeches made by Jed Baldwin, a respected MP in Ottawa, who for some years now, has been advocating and trying to persuade the Government in Ottawa, to do the very same thing, to make under certain guidelines information available to interested parties or to the public. After he left government, Mr. John Turner has spoken and , has said much the same thing.

So we're saying, Mr. Speaker, that we would like this House to adopt a measure, that would give citizens of the province, when they are interested in a question or a problem, the right to seek

information, and have that right by Statute of Law. It wasn't five minutes ago, that the Member for Birtle-Russell was speaking, and saying he could not obtain certain information.

**MR. SPEAKER:** Order please.

**MR. G. JOHNSTON:** In my own experience, I'm acquainted with elected officials in the State of Arkansas, and they have had on their books now for twelve years, such a bill, that any government agency, any elected body, if they are having a meeting, are required to advertise that meeting 24 hours in advance, and anyone from the public can sit and watch and listen. There are some exceptions of course, when matters of personnel are dealt with, or matters of another jurisdiction, that does not give permission are dealt with, then there is an exclusion in that regard, but on the day to day business, of the State of Arkansas, it's the right of every citizen to know what his elected representatives are doing.

So, Mr. Speaker, I'm not going to say anything more on the matter. I hope some other members speak to this question, and I hope that this bill will come to a vote.

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

**MR. GREEN:** Mr. Speaker, lest there be any concern about it, insofar as my honourable friend is concerned, I assure you that in my opinion, there will be a vote on this bill. I am not suggesting the nature of what the vote will be, but I tell the honourable member, that I will have no difficulty voting against the principle of this bill because I believe in free information, and this bill will succeed in hiding information. Well, Mr. Speaker, the honourable member says no, and you know we discussed it last year, and I will discuss it again this year. The honourable member knows full well, that the very example that he uses, is an indication of the difference of philosophy in the release of information by this government, as opposed to other governments. That under the prior administration, when all of the MDS matters were kept completely secret, that was undone at the instigation of this government, in which I had a very important role to play, and which I'm very proud of.

Well then the honourable member raises an example, and uses me as a personal example of someone who had refused to give information. What happened, Mr. Speaker in that particular instance, and the reporters will confirm it, is that Mr. Ault was the general manager of Flyer. Some months later, it was learned by the press, that Mr. Ault was no longer a general manager, and they came to me and asked me why I didn't announce it, and I said that it is not my intention to announce every time there is a change in the general manager at Flyer. They said, "When will you make an announcement?" I said, "When I consider that it is in the public interest to make an announcement, I will make an announcement."

Now, Mr. Speaker, that is interpreted by my honourable friend as a refusal to supply information. It is not a refusal to supply information. The question could be asked in the House, or it could be asked in Committee, what is the situation with regards to a particular matter, and I will either say that I will supply it, or I will say that I will not supply it.

When I say that I will not supply it, Mr. Speaker, I do so on the basis that I am representing the public interests, that I can go to the public and say to them, that the reason that this information was not given is for the following reasons, and I will have to face the public. And if I am doing a bad thing, I will be punished accordingly. This Bill will remove that, Mr. Speaker, and under this Bill, Ministers will provide less information; and under this Bill, when a conventional government is in power, the courts will protect that government and will not supply the information; and we will have the political scene as to whether information should be supplied, taken out of the democratic process, where it has to be justified to the people of the province, which I say, in my view, is the way of guaranting the most release of information, and put it into the hands of the judiciary.

Now what makes my honourable friend think that the judiciary is a better means of getting information in the public interests than are the elected representatives themselves, because that's the transfer, Mr. Speaker. That's the only thing that's happening. And when the honourable member refers to other jurisdictions such as the United States, he ignores the fact, that one: our system of government is better than their system of government, and I don't want to transfer to their system of government; and secondly, they have a separation of powers. The Cabinet Ministers are not required to come into the Legislature, are not required to answer other elected representatives about information, or the executive does not sit in the Congresses of the United States.

**MR. G. JOHNSTON:** Can the Minister entertain a question? Is it not a fact under our Constitutional Law, that a Cabinet Minister can come into this House or any other House, and refuse to answer any questions?

**MR. GREEN:** Mr. Speaker, he can do so, but when a Cabinet Minister under this form of government, decides that he will not answer information, he is doing so as an elected representative, has to go back to the public, and hopes to be elected on the basis of that answer. Now I say, Mr. Speaker, that that is a much greater pressure to release information, than me saying, as the same Cabinet Minister: how convenient, Mr. Speaker, for me to be able to say to the same question, no, I consider that information to be in the public interest, but if I am wrong, you are able to go to a judge, and argue with that judge, and the judge will say whether the information will be released or not

released. I then don't even appear before that judge. It is taken completely out of the political process, and put into the legal process. So instead of the public being engaged meaningfully in an argument, as to whether its government has or hasn't been open, which I say is a meaningful argument, and is one which puts a great deal of pressure on the government, is put into a court room, where two lawyers in gowns and a judge in formal attire will decide whether it is in the public interest to furnish the information requested by the complainant.

Now, Mr. Speaker, the complainant has to hire a lawyer, make a motion, go into court, hear arguments, go to a judge, who will then decide whether the information is released, and if it's not then the elected representatives stand here and say, well the judges of course have said that we should not have given you that information. Now, Mr. Speaker, I don't want the help of the judges. I don't want the help of the judges, and I don't want their unhelp. The judiciary can do what the Member for Birtle-Russell obviously ignores the fact, decide whether a man is getting proper compensation for land which was taken from him, or settle a dispute between two individuals. And isn't that the best function that they can have, to decide matters as between litigants, not to decide public policy as to whether a government should release information? And if it's an individual dispute between an individual and a government — the Member for Fort Rouge has already indicated that in that case there is no problem, because in that case, Mr. Speaker, if there is a suit, all of the relevant information becomes an issue, an examination for discovery of documents takes place, and if the government doesn't reveal the documents, they have the danger of losing their suit by default, for failure to produce documents.

So judges have rules in cases where individuals are in dispute with the government, and we're not trying to change that, as to whether it is in the public interest, or it is necessary for the continuance of that suit, for the documents to be produced. But what is the availability of the citizen under our system of government now, as opposed to what is being introduced? The availability of the citizen is to demand it from the government — if he doesn't get it from the government, to go to his elected representative — if his elected representative doesn't act, to go to somebody who is in opposition to the government and show how he has been mistreated. That opposition member can ask it in the House. If it is not given to him in the House, in the full view of all of the people of the Province of Manitoba, he will make a case of it with the media, and the man who refuses to give information has in front of him the knowledge that all of his refusals, and all of his actions are day-to-day under public scrutiny of all of the people of the Province of Manitoba, and that he will be dealt with politically on the basis of that refusal. And on that basis, Mr. Speaker, there are times when a politician can refuse information, and the public will agree with him, and I suggest to you there are times when the politicians will give information, and the public will agree with him, and his actions will be so judged.

But how this Act is intended to extend the delivery of information is beyond me, Mr. Speaker. It will have exactly the reverse effect, and therefore I oppose this piece of legislation in principle, not on the basis that I am opposed to the dissemination of information, but because I am opposed to adopting measures which will result in the secrecy of government activity. And, Mr. Speaker, this government's record can be examined. All of the documentation relative to Hydro was opened to the full scrutiny of public opinion and professionals who wanted to comment on it. All of our commercial activities have been given, Mr. Speaker, the light of day, and the only information in those matters which has been withheld are on matters which in the opinion of the board of directors of the company necessary to be retained as part of the internal operation of the company engaged in commercial competition. Mr. Speaker, I'm perfectly prepared to uphold that. Is the honourable member saying that a judge should say that the commercial operations of Flyer as to how they are bidding, and what they are competing for, is something which should be released. If so, Mr. Speaker, I say no, and I don't want to put that into the hands of the judge — I want that to rest in the hands of the elected representatives of the people.

Mr. Speaker, I haven't completed the availability of citizen access to information on the part of the government. I've only gone through one feature of it — if he has a suit against the government, the normal law applies, and the information is an issue, and can be obtained on discovery. If it's not a suit, if he is merely seeking information for whatever reason, he can go through the entire process, and through both his constituency or opposition members. If that is not satisfactory, and it relates to a grievance — and I'm not saying that information should be given only if it relates to a grievance — a person can ask for information for whatever reason. When an Order for Return is put in, the member who moves the order doesn't have to give a reason for it; he wants that information, and it's up to the government to either supply it or indicate that it will be supplied. I know that there has been delay in filling orders, but these orders are generally filled, and if not, we say they won't be, and we say why, and it's debated. He also, Mr. Speaker, has access to the ombudsman if there is a has never reported to this House that he has been unable to deal with the case because he has not been given access to information. At least, that is not my recollection and if honourable members can correct me in this connection, I would welcome it. But that is not my recollection. That has not been a problem for the Ombudsman. So what are we dealing with, Mr. Speaker, in substance? We are dealing with how

information is most made available, not whether or not it should be made available and there are two sides to the argument and I admit that there are two sides to the argument.

The trouble with the Member for Fort Rouge, in particular, is that he will not admit there are two sides to the argument. His position is, I am right — I being the Member for Fort Rouge in making this statement — and the government is wrong. I am for openness, the government is for secrecy. He won't admit that there are two sides, despite the fact, Mr. Speaker, that for several hundred years, there has been an argument, a continuing argument as to whether rights guaranteed through constitution are more secure than rights guaranteed through responsible government and that it has engaged the intellect of the greatest of political people, the greatest of statesmen and the greatest of politicians, that that dispute has engaged those intellects.

The Member for Fort Rouge says there is no argument. He is for freedom of information and we are for secrecy. Well, Mr. Speaker, I say there is an argument. I say that responsible government does have the attributes which I think it has. I welcome opposition to this view; I welcome a discussion of it; but I reject the notion that one side is for secrecy and one side is for freedom. The contrary, Mr. Speaker, if that's the way it's put, then I have to put it the other way. The reason that I am against this resolution is that I am for freedom of information; the reason that the Honourable Member for Fort Rouge is proposing it is that he is for secrecy and he feels that the way he can obtain secrecy and protect himself is through this type of bill.

Well, the Honourable Member for Portage la Prairie is laughing.

**A MEMBER:** He's agreeing.

**MR. GREEN:** If he sees the humour of it, Mr. Speaker, if he sees the humour of it, he should see the humour of the Honourable Member for Fort Rouge's approach. I really think that if we got down to it the Honourable Member for Portage la Prairie would not say that I am speaking the way I am speaking because I believe in secrecy. The Honourable Member for Portage la Prairie has had occasion to say — one of the only people in this House who has said it — has had occasion to say on several occasions, "This is the most open government that the Province of Manitoba has ever had." Mr. Speaker, he has said that from time to time and I give him credit for that. So he knows, although he is a member of the party whose member is proposing this resolution, that this freedom of information that we have now came about through responsible government. I say, Mr. Speaker, that the longer we place the onus on the elected representative and the less we put it in the hands of so-called lawmakers, the more information there will be. I can't prove that, Mr. Speaker, I can't prove that, but will the honourable member agree that I have been consistent on it? It's not something that I have dreamed up for the purpose of being secret. That when it came to Labour laws I said the same thing. I said that the more freedom, the more stability, that if you will pass laws, you will create industrial disputes. When we talked about pornography I said the same thing. Those that want to make laws against pornography will create pornography; those who will opt for freedom will reduce the value and eventually make pornography something which has not reached the kind of heights that it did reach when it was secret and hasn't that happened? You used to see them lined up at the theatres which were showing the skin films, skin flicks, they call them. Now, Mr. Speaker, you know, you can barely find two people in there. I mean, I don't look very often but you can barely find people. The value has reduced.

I will take the same position, Mr. Speaker, when we get to the 18 and 19 year old legislation. There's no doubt that I am going to say that the greatest freedom in this area will reduce drinking, not increase drinking and when we talked about a Bill of Rights, did I not say the same thing? That I believed that the entrenchment of a Bill of Rights will reduce rights, it will not create rights, because, as hackneyed as it sounds, eternal vigilance is the price of liberty, not somebody writing it down and saying that it is going to be protected by somebody else.

So if I appear to be agitated at the moment, it's not because I'm not enjoying the discussion. The only part of it that bothers me is the sanctimoniousness of the suggestion that this bill will result in free information and the reason that it is being opposed is that there is a desire for secrecy. Let us at least admit that there are two views on this question. Let us, if not accept the argument — and I can't make you accept the sincerity — but let me assert, if you won't accept it, that the reason that I am opposed to this type of a legislation is because I am for open and free flow of information and that any attempt to take the onus off the Minister of Labour, the Minister of Consumer Affairs, the Minister of Mines, any attempt to take the onus off us to justify, every time it happens, why we will not release a document will be a hiding of information. Because, while the onus is on us, we have at least to sharpen our position as to when and why a document will be released or will not be released.

Mr. Speaker, this bill says that a judge will decide "that it is not in the public interest to furnish the information requested by the complainant." You are giving to the courts far more latitude than you will ever give to your elected representatives. If we have, Mr. Speaker, kept the door slightly shut on certain matters — and I suggest that there are very very few indeed — this gives a judge, who answers to nobody, the right to shut the door completely.

Now that's the law, that's what it says here, that he has to satisfy the judge that it is not in the public

interest to furnish the information. Yes, that's what the lawyer for the government . . . Right now, Mr. Speaker, I have to satisfy the people of the Province of Manitoba every time I speak for the government that it is not in the public interest to furnish the information and they are the judges and they are much more difficult judges to satisfy on this question than any man who sits in the purple robes across the street from here. This information will encourage secrecy, not freedom of information.

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

**MR. JORGENSEN:** Mr. Speaker, on the assumption that the Member for Flin Flon permitted the Minister of Mines and the Member for Portage to speak, I am assuming . . .

**MR. SPEAKER:** Order please. That assumption is correct.

**MR. JORGENSEN:** . . . that I will be able to contribute a few words as well. I do not wish to traverse over the ground that has been covered all already on this particular motion but I would like to point out to the Member for Portage who expressed some dismay at the bill having remained on the Order paper for a great length of time, I want to point out to him that the bill first appeared on the Order Paper, the first reading, on March 14th, and it remained there until April 12th before the Member for Fort Rouge saw fit to introduce it for second reading, so it remained there almost a month. Today happens to be May 12th, so it has been just about the same length of time . . . in the same space of two months, the bill has progressed. The House Leader has indicated that the Motion to go into Speed-up will be introduced on Friday and we will be presumably going into Speed-up very shortly after that, which means that there probably will not be an opportunity to debate it until the dying moments of the session. So, for that reason, I feel that now appears to be a good time since the debate has been initiated to speak on it.

I am going to draw most of my comments from someone who has written an article on the subject and I think that some of the points that he makes should be understood by most people because he is drawing his comments from experiences that they have had in the United States with the Freedom of Information Act and it may be very useful just to convey them to the House at this point. The article is called "Have we gone overboard on the right to know?" And then he goes on to say, "ironically requirements for a complete disclosure of information could make it impossible for government to operate effectively." And it is in that vein that he writes this article and it's pretty much in that vein that I intend to make what humble contribution I can make at this time.

But I want to repeat the comments that were made by the Minister of Mines when he said that a distinction must be made between the two systems of government. We know how the Americans got into Freedom of Information Act. It was over Watergate and the furore that was created because of the so-called "secrecy" that were identified and associated with Watergate.

But those who now advocate a freedom of information bill do so for perhaps more than one reason. One of them, of course, is Watergate. But the second one, and mention was made of Jed Baldwin, a member of the House of Commons who I have the highest regard for. Well, if you were to rate members of parliament as to capability and integrity, and what have you, I think Jed Baldwin would rate pretty high and near the top.

But the reason that Jed Baldwin is introducing the Freedom of Information bill in the House of Commons is because of a belated recognition of a serious mistake that they made in the House of Commons when they changed the rule there. We didn't make that mistake here. As a matter of fact, we went exactly the opposite direction. We provided for the opposition's greater opportunity to seek information through the change in the method by which we examine government spending. And, in my opinion, the examination of supply is really the prime and the important function of any legislative body. We attempted, in the change in those rules, to reconcile two opposing objectives. One, of the government and the right of the government to govern; the other, the right of the opposition to examine. I think we've reconciled those two opposing objectives. I think we've done so in a way that government can govern and that the opposition can examine.

Now, that does not exist in the House of Commons. There isn't a single dollar of government expenditure that is examined in the House of Commons. It's all done in the seclusion of obscure committees that are given a time limit upon which they can do the examination. They don't examine the Ministers. He comes in and makes an opening statement and then disappears and they don't see him again. And what is even more ridiculous is that they have a rule that when members are questioning the departmental officials, and I'm not interested in questioning departmental officials, I'm interested in examining the government, the people who are responsible for a particular department. I want to know what he thinks about the administration of his department, not what some official thinks. In Ottawa they haven't even got that opportunity. They've got ten minutes with which to examine or pose a question to the Minister. The asking of the question could take one minute and the answering of that same question could take nine minutes by an official and then that person's time is over. What a farce! It is no wonder that in Ottawa they want to change rules or they want the Freedom of Information Act because that's probably the only way that they can get any information in the House of Commons.

I suggest, Sir, that rather than introducing — and I told this to Jed Baldwin, I might as well say that here — that his time would be better spent, put it that way, attempting to effect a change in the rules in the House of Commons so that members of that House of Commons would have an opportunity of getting information from the government.

Now, to get to Mr. Warren Bemis' article. He starts out the article this way. He said, "The British Foreign Office gives its fledgling diplomats three cardinal rules of behaviour: never tell a lie, (2) never tell the whole truth, and (3) never miss a chance to go to the bathroom. An old Tammany boodler who disliked leaving any traces of its dealing had a terser rule: Don't write, send words. Both sets of rules, I fear, are likely to become more and more tacit understanding of conduct for those who in the post-Watergate climate of suspicion share the hazardous privilege of running large organizations including, in my own case, the nation's second largest urban multi-universe state."

Now then, he goes on to say that, "I believe that because denial, avoidance or suppression of truth will ultimately flaw decision making and in the case of business, the bottom line as well." He is making the point that too much of that kind of information will interfere with the normal and the proper operation of either a business or a government.

"So I dislike secrecy. I think the prophet Luke was right when he wrote, 'Nothing is secret that shall not be made manifest.' And I believe Emerson's law of compensation 'In the end every secret is told, every crime is punished, every virtue rewarded in silence and certainty.'"

"At the same time, as a practical administrator, I am convinced that those well-intended goldfish bowl rules will have unintended results worse than the evils they seek to forestall. They are likely to produce more secrecy," and that's the point that the Minister of Mines was making, "not less, only more carefully concealed. And on top of it, so hamstringing an already overburdened administration has to throw their tasks into deeper confusion, for secrecy is one thing, confidentiality is another. No organization can function effectively without certain degrees of confidentiality in its proposals, steps and discussions leading up to its decisions, which decisions should then of course be open and generally will be."

That's the point that I was attempting to make and the Minister of Health, for reasons known to him only, continues to read an excerpt from Hansard when Bill 15 was introduced into this Chamber. And we were discussing the Hedlin-Menzies Report to transition in the north and honourable gentlemen opposite were making the point that the report should be tabled. And I had concluded my remarks and the Member for St. Johns and the Member for then St. Boniface were asking me if I had seen the report. And they thought that I was naive when I suggested that I had not seen the report and that I didn't feel that I was entitled to see the report since I was not a member of the government.

I felt that reports that are commissioned or asked for by the Cabinet in confidentiality should remain in the government's hands until they see fit to reveal it. If a decision is contingent upon provisions of that report, then the government should have the opportunity of examining that report and using it as a basis for decision. And I don't think that, as a member outside the Cabinet, I am not entrusted with the responsibility of governing, and therefore I don't feel that I have the right to see that report at that stage. If the government wants to reveal it to me at that stage, or at a later stage, then I'll leave that in their hands. I have taken that position consistently with this government or with the previous administration, or any other administration. I feel it is a right position and a proper position. I think it would hamstring the government, first of all, and secondly, I don't think you'd get honest reports from departmental officials. They would be printing then in those reports only the information that they expected, that they thought that the government or the public would want to hear.

That particular attitude was reinforced by a statement that was made by the Member for St. Johns some time ago when, I think it was the first time, he introduced the Budget in this House. He commented on the Deputy Minister's preparation of his speech and how it had reflected the thinking of the government and the philosophy of the government. And he mentioned at that time that he thought it was a remarkable thing that a departmental official would transfer and put into words the philosophy of a government on such a short notice. I think it is a creditable thing on the part of the departmental official and of course Stuart Anderson was always that kind of an official.

But I suggest to you, Sir, that if the government are not given the opportunity of determining what kind of information they can reveal prior to a decision being made, after a decision is made then that's a different thing, but pending a decision then I think that the departmental officials should be invited to provide the best information that they can possibly supply the government without any fear that that information is going to prejudice their particular positions as departmental officials. Now that is not a new position with me, as I've said that, it has been a consistent one and I believed it then and I believe it now. I was criticized for it then, I don't think that I'm being criticized for it now.

**MR. SPEAKER:** Order please. The Honourable Minister for Labour.

**MR. PAULLEY:** You made mention of information of departmental officials. Do I understand from that that you mean to the Minister responsible or another responsible person within the department

but not externally. Is that my understanding of what you mean?

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

**MR. JORGENSEN:** What I mean is . . . I wanted to make sure that the Minister understands.

**MR. SPEAKER:** Five minutes.

**MR. JORGENSEN:** If the government have commissioned a report to be drafted for their use in the preparation of material prior to making a decision on any particular matter, that is the property of the government. It becomes the property of the public when the government makes it public or after a decision has been made on it, if they choose and I don't think that it's necessary for them to do that even after if they don't choose to.

Now, Mr. Speaker, as you have indicated, I only have five minutes left and I wanted to make sure that —(Interjections)—

**MR. SPEAKER:** Order please.

**MR. JORGENSEN:** Now, Mr. Speaker, I would like to continue because some of the other comments that were made by Mr. Bennett are worth putting on the record. He goes on to say, "In my own mind it is certainly clear that there are times when confidentiality is a necessary prerequisite to public decisions for the public benefit. But when one asks, or is asked, where this desirable good blends into the undesirable evil of secrecy for secrecy's own sake or for concealing mistakes, it is hard to set any very clear or definitive standard rules of thumb. One almost has to come back to the characteristic character and integrity of the individual concerned. If he or she is worthy of trust, his judgment must be trusted as to when and under what circumstances confidentiality is required."

I think that we simply must do that. When the government is in the process of making decisions, I like to feel that I can trust the government until they prove otherwise and I think the people of this country will do that until they've been proved otherwise.

Now in the government, the Macy's window syndrome is going to make for greater inefficiency because officials are going to spend more and more of their time processing requests for documents on past actions instead of applying the same energy to future actions. Levi points out that the FBI which received 447 freedom of information requests in all of 1974, last year received 483 requests in March alone. Sir, that is a tremendous waste of energy on the part of civil servants digging up past information. Sir, I realize my time is just about up but I would like to read the two concluding paragraphs of this particular article.

"I am not saying that individuals who have been unjustly accused should not be able, as freedom of information provides, to examine their own dossiers. Nor am I saying it is unwholesome for any government or public agency to be prodded out of its passion for hiding its mistakes under classified labels. That kind of file cleaning is needed. Furthermore, scholars are finding the law to be a great boon in gaining quicker access to needed documents in archives. What I am saying is that in the long run we're likely to get better government, better decisions if we focus our energies on finding leaders whose innate integrity, honesty and openness will make it unnecessary for us to sue them or ransack their files later on."

Attorney-General Levi, it seems to me, cuts to the heart of the dilemma in this observation. A right of complete confidentiality in government could not produce a dangerous public ignorance but destroy the basic representative functions of government. But a duty of complete disclosure would render impossible the effective operation of government.

Sir, I believe the bill that is before us will just do that very thing — render ineffective the proper administration of government.

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

**MR. SHAFRANSKY:** Mr. Speaker, I wonder if I may have leave to ask a question of the Member for Morris. He indicated . . .

**MR. JORGENSEN:** Let me put it this way, Mr. Speaker. If the Member for Radisson brings to bear his usual intelligence in asking questions, I would say no. But if it happens to . . .

**MR. SHAFRANSKY:** Mr. Speaker, I believe that I have been given leave and I don't wish to question the intelligence of the Honourable . . .

**MR. SPEAKER:** Question please.

**MR. SHAFRANSKY:** . . . Member for Morris, but the fact is that he did indicate that the integrity of one Stewart Anderson has never been under question. I would just like to ask him, is he not in fact questioning the integrity of Mr. Stewart Anderson, who is a member of the Manitoba Hydro Board and has been a member of the Manitoba Hydro Board for some time, when charges are made by the Conservative Party that Manitoba Hydro wasted some \$605 million of taxpayers' money?

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

**MR. JORGENSEN:** That question, Sir, deserves the same kind of response that the First Minister gives to the questions that are normally asked by the Member for Radisson.

**MR. SPEAKER:** The bill will remain in the name of the Honourable Member for Flin Flon.

We are now on Bill No. 41. The Honourable Member for St. Matthews.

**MR. WALLY JOHANNSON:** Stand.

**BILL (NO. 49) — AN ACT TO AMEND THE LIQUOR CONTROL ACT.**

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

**MR. SAUL CHEIACK:** Mr. Speaker, I have listened to the debate on this bill and I respect the opinions held by all those who have spoken. I note the amount of reminiscences that went on so I can't help but reminisce about my own experience. We all seem to talk about our experience in relation to liquor, so I can report that when I was about 16 years of age, just about to enter into university, some friends and I rented a cottage at Winnipeg Beach and in the morning when the milkman came to deliver milk he also offered us homebrew out of a similar bottle. The fact is that by then I knew enough not to drink homebrew because we had other liquor with us.

I must also mention, now the Minister of Finance is here, I was not going to tell the story, but now that he's here . . . That when we were about 17 years of age we decided to go into a beer parlor in Minneapolis but he looked so much younger than the other three of us that we suggested he should not jeopardize our chances of staying in the beer parlor, that he should wait while the three of us went in and had our beers. The fact is, we went in, we ordered our beer and we received our beer and a massive — he looked very large from where we were sitting — bouncer came up and he said, "How old are you boys?" And I said, "21" and another friend said, "22" and another said, "21." And then he turned to me and he said, "What year were you born?" And that trapped me. I couldn't do that arithmetic quickly enough and I said, "19 . . . uh . . . 50." He said, "Okay boys, finish that beer and get out." And we watched him as he walked down further into the room and we saw that the present Minister of Finance was seated there, hunched over a glass of beer. I think the Statute of Limitations already applied, we're all right, that was over 40 years ago. And we saw the bouncer approach him and tap him on the shoulder and the reaction, which I recognized as fright, of the present Minister of Finance was such that the bouncer thought it was a threatening gesture and we heard him say, "Okay buddy, take it easy." The three of us were thrown out of this . . . or asked to leave and he kept us at least half an hour cooling our heels while he finished his beer.

It's nice to have memories like that and it's nice to report that an electorate has seen fit to elect and re-elect people who have had the exposure to beer and liquor at an age that was, even today, considered to be too young. Nevertheless, somehow or other, those of us who have been reminiscing about our own relations with liquor enforcement laws seem to have been able to have survived. That doesn't mean that it is a minor or negligible problem that we are dealing with. To me the problem is so large that I think that the presentation of it in this bill and the remedy proposed are so superficial that I really cannot relate the two and that is the problem that I have.

I imagine that all members received a form letter — well maybe only the New Democratic Party received it — there was a letter sent by the Manitoba Association of School Trustees, dated April 5th, 1977, addressed to the Premier, with copies being sent to members of the New Democratic Party caucus. The letter indicated the decision of MAST, the Association of School Trustees, supporting a bill and proposing that the age be increased from 18 years to 20 years of age, and stating and I quote: "The lowering of the drinking age to 18 years seems to have contributed directly to a greater number of young people, under the age of 18 years, consuming alcoholic beverages. Schools, homes, social service agencies and the community are facing the consequences of a lowered drinking age."

I thereupon wrote to Mrs. Trott, the President of the Association, saying in part: "I would appreciate knowing the experience in the schools because of the present age, which are uncontrollable by disciplinary action. Newspaper reports of the debate did not give me an adequate overview of the ramifications."

I then received a reply from Mrs. Trott, which I think I should read in its entirety so that I should not be accused of having only read a portion of it, an excerpt. The letter says: "Thank you for your letter of April 6th, 1977, on the subject of raising the legal drinking age. Although the subject in this case has been raised by school trustees, it is not a major problem in the schools. There are a few incidents of students returning to school after having 'lunch' in the local pub, but this is uncommon and usually easy to stop through disciplinary action.

"The main problem is not with those who are 18 years of age and over, it is with the 15 to 17-year-olds. It is our finding and the feeling of many parents that due to peer pressure, more and more young students are using or abusing alcohol. This problem has grown rapidly since the drinking age was lowered to 18.

"Many 18-year-olds are still in high school. As the seniors in the high school they are looked up to by the younger students and they set the trend. If the drinking age is raised to 20, then this minimum age is normally beyond the high school level. The 20-year-old is chumming with equal or older work mates or with equal or older university students. The 15 to 17-year-old now does not have easy access to a friend who can legally purchase alcohol.

"I hope that this letter clarifies our position. It is not an easy problem that will entirely be solved by one solution. In our opinion, raising of the legal drinking age is a necessary part of a package which will also include better enforcement of the law and an extensive education program."



Well, Mr. Speaker, before I deal with the letter, I must comment that I noticed a newspaper report stating that the Teachers' Association — I don't know if it is the Winnipeg or the Manitoba teachers

**A MEMBER:** Manitoba teachers.

**MR. CHERNIACK:** . . . Manitoba teachers rejected the proposal to increase the minimum age in drinking establishments, by a 2 to 1 majority, I am told.

Mr. Speaker, this letter makes it very clear that the School Trustees, at least the spokesman for the trustees, does not believe that the problem lies with the 18-year-olds. The problem that they describe is one which involves 15 to 17-year-olds, not the 18. I find it extremely difficult to place restrictions on a person or a class of persons, based on their age, and say, "Not that you are the problem, but you are restricted because others are problems." I find that an unacceptable argument. At 18 years of age you are not a problem, you may drink. You do not create a problem in the schools, but because you are 18 and you associate with a 17-year-old, therefore, we won't let you drink.

Well, Mr. Speaker, I was 16 at the University of Manitoba. We never had a problem. At dances, in the finest hotels, the Royal Alex and the Fort Garry is where the university students held their dances, there was always a bottle available and was brought in by the students. We were charged for what they called "mixes", and therefore, everybody knew that it was there. And the worst part about it, Mr. Speaker, was that we would always aim to finish that bottle that we brought in because what do you do with it? You brought it in; you can't take it home; your parents aren't going to gracefully accept the fact that you had liquor at the affair. Everybody knew it was there, but somehow because it was there and always in hard liquor form, and usually with some mild form of mix, that it was drunk in greater quantities of alcohol than is likely to happen today in establishments where they serve liquor, sell it by the glass, the cost alone is enough to deter a person from drinking a great quantity.

So I have to say, Mr. Speaker, that I cannot accept the thought that we are dealing with people who we consider to be mature enough to be in the age of majority — I'm not going into the whole background about age and majority, although I must comment, Mr. Speaker, that I went back into the records and I found, and I thank the Honourable Member for Morris who pointed it out to me when I asked him on an occasion privately — that members of the Conservative Party proposed a change to the liquor drinking age from 18 to 19, but I could not see any proposal that the age of majority be changed from 18 to 19. If that is the case then it means exactly what they are saying here and now. When I say "they", I mean those who have spoken in favour of the bill. I don't know yet if it is a government bill or not. The Member for La Verendrye had asked, "Please, let's make this an open vote. Let's remove the Whip." But I am not clear yet whether there is a Whip in the Conservative Party on this issue or not.

But they did not then propose, nor do they now propose to change the age of majority, and Mr. Speaker, to me this is untenable. That a person shall have the right to make a Will; a person will have the right to own property, to sell property, transfer property, go to war and not be entitled to drink wine; not because that person cannot be trusted but because younger than that 18-year-old cannot be trusted. I can't accept it.

I have to conclude and I intend to conclude today — there's no point in continuing the debate further for my part — with the final sentence or the final line of the letter from the school trustees which deals with, "better enforcement of the law and an extensive education program." I support those two absolutely. To the extent there is inadequate enforcement, I would urge that there should be greater enforcement. I would urge that there be use of, what I understand the Hotelkeepers' Association have of the identification card with a photograph, that the vendors be watched very carefully to make sure that they are not selling to people under 18; that the people in the schools be encouraged to know more about the dangers of the abuse of alcohol use; and to the extent that government can and should encourage more and more extensive, both enforcement and education. There is no doubt that the proceeds that come from the sale of liquor are such that there is no excuse not to have sufficient moneys available for both education and enforcement.

On that basis, Mr. Speaker, I cannot find myself able to support the bill.

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

**MR. SHAFRANSKY:** Mr. Speaker, I beg to move, seconded by the Honourable Member for . . .

**MR. SPEAKER:** Order please. The Honourable Member for St. James wish to ask a question? We have one minute yet.

**MR. MINAKER:** I wonder, Mr. Speaker, if the Honourable Member for St. Johns would answer a question.

**MR. CHERNIACK:** Mr. Speaker, I must say it depends on the level of intelligence of the person asking the question.

**MR. MINAKER:** Mr. Speaker, in view of the statements and comments that the honourable member made with regard to his association and experience with liquor while under the age allowed to consume alcohol, and also with some of his associates, I wonder if the honourable member could advise the House if he is in favour of reducing the age of allowing the consumption of liquor legally?

And also is he in favour of eliminating any age restriction on that?

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

**MR. CHERNIACK:** Mr. Speaker, the answer to that — and I am taking it seriously although I am not sure that he intended it that way — is that it depends to me on the level of both enforcement and education, the extent to which you can change ages or restrict people. I don't like restriction placed on people. I don't like that. I do believe that if they are properly educated then you can trust them.

And I pointed out that I had the opportunity to have liquor at age 16 and 17. I don't think it did me any harm because I think in my home I had a pretty good approach to it. Therefore' if the level of enforcement and education would advance to handle it, then I wouldn't worry too much.

**MR. SPEAKER:** The Honourable Member for Radisson. Time is running out.

**MR. SHAFRANSKY:** Mr. Speaker, I intend to join in the debate on this bill, but it seems that the hour has . . .

**MR. SPEAKER:** The honourable member move the adjournment. We are out of Private Members' Hour's time. All he can do is adjourn.

**MR. GREEN:** Mr. Speaker, would you let him adjourn the debate because I wish to make a motion.

**MR. SPEAKER:** Right.

**MR. SHAFRANSKY:** Then I would like to move, seconded by the Honourable Member for Emerson that debate be adjourned.

**MOTION presented and carried.**

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

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

**MOTION presented and carried.**

**MR. SPEAKER:** Since it is agreed, the hour being 5:30 I am now leaving the Chair and the House will resolve itself in Committee of Supply with the Deputy Speaker in the Chair at 8 o'clock.