



Third Session — Thirty-First Legislature
of the
Legislative Assembly of Manitoba

**DEBATES
and
PROCEEDINGS**

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LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, May 2, 1979

Time: 2:30 p.m.

OPENING PRAYER by Mr. Speaker.

MR. SPEAKER' Hon. Harry E. Graham (Birtle-Russell): Before we proceed, I should like to draw the honourable members' attention to the Gallery, where we have 52 students of Grades 5 and 6 standing of La Verendrye School. These students are under the direction of Mr. Garry Thrush and Mr. Mel Hanna. This school is in the constituency of the Honourable Member for Fort Rouge.

We also have 30 students of Grades 10 to 12 standing from Ste. Rose Collegiate. These students are under the direction of Mr. Barry Kutcher. The school is in the constituency of the Honourable Member for Ste. Rose.

On behalf of all the honourable members we welcome you here today, and I apologize for the mistake.

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

PRESENTING REPORTS BY STANDING AND SPECIAL COMMITTEES

COMMITTEE REPORTS

MR. SPEAKER: The Honourable Member for Radisson.

MR. ABE KOVNATS: Mr. Speaker, the Committee of Supply has adopted a certain Resolution, directs me to report the same and asks leave to sit again.

I move, seconded by the Honourable Member for Emerson that report of committee be received.

MOTION presented and carried.

MINISTERIAL STATEMENTS AND TABLING OF REPORTS

MR. SPEAKER: The Honourable Minister of Finance.

HON. DONALD W. CRAIK (Riel): Mr. Speaker, I would like to table a Return under Section 30.2 of the Law Society Act.

MR. SPEAKER: The Honourable Minister of Mines, Resources and the Environment.

HON. BRIAN RANSOM (Souris-Killarney): Mr. Speaker, I would like to table the May 2nd, 1979 Flood Report prepared by the Water Resources Division. The Honourable Members will note in comparing the text portion of the report with the statistical portion that the text shows that there has been a further downward reduction of the expected peak flood due to new figures that have been generated by the experience of the past few days relating to stages and flows. Beyond that, Mr. Speaker, the information is accurate.

MR. SPEAKER: Notices of Motions . . . Introduction of Bills . . .

ORAL QUESTIONS

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. HOWARD PAWLEY (Selkirk): Mr. Speaker, my question is to the First minister. In view of the announcement this morning that President Carter had requested the Sears-Roebuck to roll back their prices due to excessive profits, can the First Minister indicate whether or not steps will be

undertaken by his government in order to ensure that there are similar reductions in prices insofar as Simpsons-Sears are concerned in Manitoba, that would relate to the same type of reductions that apparently that are in the process of being undertaken in the United States?

MR. SPEAKER: The Honourable First Minister.

HON. STERLING R. LYON (Charleswood): Mr. Speaker, I must say in all frankness to the Leader of the Opposition that I am unaware of the statement by the President of the United States to which he makes reference, so therefore I would have to take as notice the question and apprise myself of the statement that was made by that eminent gentleman. However, I could say by way of general approach to the topic of prices generally, and that is, not prices, but profits generally, that profit making is what keeps the private sector going. Profit making is what enables companies to invest capital to create more jobs. Profit making is not something that this government or indeed most of the governments of Canada are opposed to. We tend to be in favour of it, and I rather doubt without having had the benefit of reading the statement to which my honourable friend makes reference, that any action of the nature that he suggests would be contemplated in Canada.

MR. PAWLEY: Mr. Speaker, then, a further supplementary to the First Minister. Is the First Minister, as a result of the declaration which he just completed in pertaining to the advantages as he sees it in profits, is he indicating to the House that even if it is demonstrated as a result of the statement and analysis by President Carter, that there are excess profits on the part of Sears-Roebuck, that that would justify no action on the part of his government nor to ensure a similar action in Manitoba?

MR. LYON: Mr. Speaker, I was answering only in generalities as my honourable friend will appreciate. I can only say to him, of course, that the burden of what I was saying was that on this side of the House, we happen to believe in the market economy; on my honourable friend's side of the House they happen to believe in socialism, and the two never meet.

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

MR. SAUL CHERNIACK: Thank you, Mr. Speaker. I wanted to address a question to the Minister of Finance, who a few days ago undertook to supply answers to some questions relating to the borrowing of Asia dollars in Japan. Does he have those answers now?

MR. SPEAKER: The Honourable Minister of Finance.

MR. CRAIK: Well, Mr. Speaker, with regards to the important question, I think that the member asked, I can confirm that the rates at which the loan was taken out for American dollars from the Japanese banks was lower than the prevailing rate in the United States, and the effective rate is lower by the amount at least that I indicated, an eighth to a quarter. I would further indicate that that issue was at 9-5/8%. The rate we would have to pay, probably in the United States, as of last week or early this week 10-10, would be about in that order. So I think that's the primary answer.

With regard to the member's further questions, as to the effective rates and the way they might shift with regard to the currencies, I'm going to have to leave that calculation up to him to take on.

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

MR. CHERNIACK: Mr. Speaker, I will examine the answer more fully when I see it in Hansard, but I don't think the Minister dealt with the question that was quite specific and that was, what was the effective rate that would be received by the lender? What is the effective rate paid by the government, taking into account the costs of the borrowing, and possibly a discount. I'm not aware whether or not there was a discount. That was specific questions which are within the knowledge of the Department of Finance.

MR. CRAIK: Mr. Speaker, I think it boils down then — there was another question on the equivalent rate. I still don't have an answer on that part, taking into account those parts. But if the member wants to figure out the exposure, making different assumptions to the change in shift and currencies, I say I'll have to leave that with himself. I'll get this other part of his question for him yet.

MR. CHERNIACK: Mr. Speaker, while the Minister of Finance is answering these questions, could he also inform us whether or not he has completed his negotiations with private auditors for the settlement of the fees they will charge for conducting private audits of Crown corporations?

MR. CRAIK: Most of them have been, Mr. Speaker, but not entirely yet.

MR. CHERNIACK: Mr. Speaker, since I'm under the impression that, and I may be wrong, that these amounts will have to be in an Order-in-Council, could the Minister indicate whether or not this has been passed, and if it's not by Order-in-Council, will he inform us as to the fees agreed upon to be paid to private auditors who audit Crown corporations?

MR. CRAIK: Yes, Mr. Speaker in due course.

MR. SPEAKER: The Honourable Member for Brandon East.

MR. LEONARD S. EVANS: Mr. Speaker, I'd like to address a question to the Premier and possibly if he is unable to answer it, to the Minister of Economic Development. And this is with respect to the proposed take-over of the Hudson's Bay Company by the Thomson family. Was the government in Manitoba consulted by the foreign investment review agency of the Federal government or by any Federal Minister with respect to the effects of the take-over of the Hudson's Bay Company by the Thomson family? Was there any consultation?

MR. SPEAKER: The Honourable First Minister.

MR. LYON: Mr. Speaker, I would have to say to my honourable friend not to my knowledge, however, I will take the question as notice and canvass the various departments to whom such an enquiry might have been directed, but to my knowledge no such enquiry was directed.

MR. EVANS: Thank you, Mr. Speaker. Does the government of Manitoba have any particular position with respect to the take-over of the Hudson's Bay Company, which does have its head office in the province of Manitoba?

MR. LYON: Well, Mr. Speaker, naturally the government of Manitoba takes the position that we of course wish the head office of the Hudson's Bay Company to remain in the province of Manitoba and we wish of course to see that company and all companies in the private sector continue to prosper and create more employment and even make profits in Manitoba as well.

MR. SPEAKER: The Honourable Member for Brandon East with a final supplementary.

MR. EVANS: Mr. Speaker, I share those sympathies with the Honourable First Minister. I wonder, in view of the First Minister's response, Mr. Speaker, whether the First Minister and his government would undertake to initiate communication with the federal government to ensure that no negative effects will occur, from what appears to be almost a fait accompli now, that is the takeover of a company that has its head office in Manitoba — the takeover of Hudson's Bay Company by the Thomson family.

MR. LYON: Mr. Speaker, I'm not aware of any ill effects arising out of the takeover, however, I will examine the question that the honourable member has put, and if there is any need seen to make that inquiry, it will be done.

MR. SPEAKER: The Honourable Member for Winnipeg Centre.

MR. J. R. (Bud) BOYCE: Mr. Speaker, through you to the Minister responsible for Hydro, is Hydro in a position to advise the government of whether or not their control mechanisms on Lake Winnipeg have the capacity to keep the level of the lake within the designed or the limit of the licence, which I believe was 715 feet?

MR. CRAIK: Mr. Speaker, the Water Resources' people have given some indication that that is the next problem they have to address themselves to, but at the present time I understand that the lake is pretty close to the 715 level and there may be some difficulty in keeping it at that level, but they're now addressing themselves to that.

MR. BOYCE: Just as a matter of information for the House, Mr. Speaker, I wonder if the Minister could inquire and advise to what level they had drawn down the level of the lake during the winter.

MR. CRAIK: Yes, Mr. Speaker, I'll get an exact level for the lake.

MR. SPEAKER: The Honourable Member for The Pas.

MR. RONALD McBRYDE: Mr. Speaker, my question is to the Minister responsible for the Manitoba Housing and Renewal Corporation. I wonder if the Minister could confirm that in February of 1978, officials of that agency told the Town Council at The Pas that lots owned by MHRC would be available for sale to residents of The Pas within a couple of months of that meeting.

MR. SPEAKER: The Honourable Minister of Economic Development.

HON. J. FRANK JOHNSTON (Sturgeon Creek): Mr. Speaker, I've had a telegram from the Mayor of The Pas today and we will be preparing an answer for him. The MHRC made a commitment to the Town of The Pas to convert mobile home lots — that's in our mobile home park. That was done by discussion with the Council of The Pas and an agreement between the two parties. We also agreed to subdivide Bell and Third Avenue East and we also agreed that the town of The Pas would be the marketing agent of that subdivision. The subdividing was done at a cost of \$12,000 to the Province, because we had to change the plans that were left to us by the previous government. We didn't want another Bell Avenue subdivision, as the type that's there now. The registration was done and it went to Neepawa and there was some changes that had to be done in the Neepawa office.

We also agreed to market the commercial property in The Pas, which was done. The honourable member gives us — last February, he said two months. We have had some problems getting it all organized and put together. We have recognized the problem long before now; we have had staff working on it very hard; and we've had meetings on it very hard. I will answer the mayor's telegram, and try to co-operate with him in every way we can.

MR. McBRYDE: Yes, Mr. Speaker, I wonder if the Minister could then confirm that the telegram from the Town Council of The Pas indicates that, from their perception, things seemed to be chaotic at the Manitoba Housing and Renewal Corporation.

MR. JOHNSTON: The telegram says it's chaos, Mr. Speaker. I've outlined what we have done, and what we have made available to The Pas in the way of lots. I've outlined that we have had some problems. I've outlined that we're working at it. I have confidence in the staff that I have, who are a hard-working staff, who are working on it. And I assure you, Mr. Speaker, that the mayor's telegram will be answered and there will be people in The Pas to discuss it with them just as soon as possible.

MR. McBRYDE: Mr. Speaker, I can certainly understand all the problems that the Minister is having with this agency. I wonder, though, if he could give us some indication as to when these lots will be available. When will people actually begin to start building on these particular lots?

MR. JOHNSTON: To answer the honourable member's question; first of all, MR. SPEAKER, WHEN HE MENTIONS THE PROBLEM I'm having with my agency, MHRC, I said I have an excellent staff, I don't have any problems with my staff, they're working very hard on it. And we will have those lots available just as soon as possible, and I will answer the mayor's telegram, and try to co-operate with him in every way we can.

MR. SPEAKER: The Honourable Member for Ste Rose.

MR. A.R. (Pete) ADAM: Thank you, Mr. Speaker. A question to the First Minister. It seems to be unclear as to whether or not farm-stored grain or livestock will be covered under the Flood Assistance. I wonder if the First Minister could advise the House if he now has information to clarify whether or not farm-stored grain and livestock will be covered by Flood Assistance?

MR. SPEAKER: The Honourable First Minister.

MR. LYON: Mr. Speaker, the honourable member is quite right. It is, according to the advice that

I have had, it is unclear under the formula, although the practice in the past has apparently differed from the formula. The most recent communication or word we have had from the Minister responsible for the Canadian Wheat Board is to the effect that there is compensation payable under the Federal Disaster Plan for the items that my honourable friend mentions.

He will note that in the letter that I discussed with the Prime Minister yesterday, that particular reference was made to farm-stored grain and livestock being included in the Federal Disaster Policy. We asked for that. When we get any confirmation, I'll certainly let my honourable friend, and all of the members of the House, know.

MR. SPEAKER: The Honourable Member for Elmwood.

MR. RUSSELL DOERN: Mr. Speaker, I'd like to direct a question to the Minister of Tourism and ask her whether it is standard departmental policy to have promotional materials such as were recently distributed, printed in both French and English.

MR. SPEAKER: The Honourable Minister of Tourism.

HON. NORMA L. PRICE (Assiniboia): I don't know whether it is compulsory or not, Sir, I think our financial —(Interjection)— Mr. Speaker, I think our budget has something to do with it. We couldn't afford to put it in both languages and I don't think it was really necessary.

MR. DOERN: Mr. Speaker, I would also ask the Minister whether it is departmental policy to throw out boxes of promotional material because another Minister's name appears on it, and I would refer her to material of this quality which was recently found about to be disposed in the building, of hundreds of pamphlets of this quality? Is it standard policy to throw out material of that calibre?

MRS. PRICE: I am not aware of any pieces of literature being disposed of like that and we've certainly sent out many with other Ministers' names on it since I've been —(Interjection)— Well, I say I'm not aware of it, but I have certainly had many sent out with other Ministers' names on it before my time.

MR. DOERN: Mr. Speaker, I would also like to ask the Minister if she could provide us with comparative costs of the recent materials sent out per pamphlet and some of the other material which was recently found in a large pile of material in the basement. Could she provide us with some cost per pamphlet?

MR. SPEAKER: Order please. May I suggest to the honourable member that questions of that nature may better be handled as an Order for Return? The Honourable Member for Elmwood.

MR. DOERN: Mr. Speaker, I will certainly comply with that. I would also like to ask the Minister on another matter, whether she could bring us up-to-date on her discussions with the Festival du Voyageur as to what is happening? There was a comment made that the Festival is bankrupt. Could the Minister bring us up-to-date?

MRS. PRICE: Mr. Speaker, I got the audited statement, or unaudited statement, from the people of the Festival du Voyageur last week, but we've had much more pressing matters for the Cabinet what with the flood problems and we told them that we would get to the Cabinet with the discussion as soon as the First Minister and the other Cabinet people that are so involved in the flood have a little time to consider their problem.

MR. SPEAKER: The Honourable Member for Logan.

MR. WILLIAM JENKINS: Thank you, Mr. Speaker. My question is to the Acting Minister of Government Services. I wonder if the Minister can inform the House if the present lease on the land between the runways at the Gimli Industrial Park expire this year some time?

MR. SPEAKER: The Honourable Minister of Government Services.

HON. HARRY J. ENNS (Lakeside): Mr. Speaker, I would imagine that there is a variety of lease dates that are expiring at different times at the Industrial parksite in Gimli inasmuch as a fair number of individual firms have rented the space at different times and would obviously have different expiry

dates. If the member has a specific lease that he is interested in I would be prepared to have the details and provide him with an answer.

MR. JENKINS: I think the honourable minister misunderstood me. The land that is presently being farmed is being leased out between the runways. My understanding that some of this land, the lease expires this year. I wonder if the honourable minister could inform the House if that is correct?

MR. ENNS: Mr. Speaker, I would be happy to take that question as notice and will so inform the member tomorrow.

MR. JENKINS: A further question to the Minister. Since it is the stated policy of the government that Crown Land should be sold, is it the intention of the Minister if this land lease does expire does the Minister intend to sell this land or does he also, as he stated in the Agricultural Estimates his personal opinion, give the land away?

MR. ENNS: Mr. Speaker, the first part to his question is, that as of now the government has not got a general stated policy with respect to disposal of Crown Lands. We have a desire expressed to the farmers, the people of Manitoba, on or before the October 11th date that where possible and under certain circumstances where it will enable the development of more viable agricultural units, this government would be prepared to examine, again under restricted circumstances, the probability, the possibility of selling and disposing of some Crown Lands. That is the stated policy of this government, Mr. Speaker.

I doubt very much whether the kind of land referred by the honourable member falls into that category. If it does it will receive that same kind of consideration that the Minister of Agriculture along with the Minister of Mines, Natural Resources is giving the overall question of disposal of Crown Lands in part of Manitoba.

MR. SPEAKER: The Honourable Member for Lac du Bonnet.

MR. BILLIE URUSKI: Yes, Mr. Speaker, I would like to ask the Minister of Agriculture whether or not he has fully considered and is agreeable to the distribution of information that was asked of him during the course of his Estimates debate in Room 254 all of the questions that were taken as notice? And also in particular the tabling of those files relating to the sale of Crown Land by public tender. The Minister took that as notice at that time and indicated some degree of willingness to table at some point in time. The Honourable Minister of Agriculture.

MR. SPEAKER: The Honourable Minister of Agriculture.

HON. JAMES E. DOWNEY (Arthur): Mr. Speaker, during the Estimates I believe I took a few questions as notice of material that I would provide, however that is in the process of being made available to me. I do not think that during the process of my Estimates that I agreed to table any files of MACC.

MR. URUSKI: Mr. Speaker, the impression that we had in Committee was that the Minister was prepared to table those. At the time he didn't have them with him and therefore wasn't able to. But if he is now indicating that he is not prepared to table all of the documentation relative to those parcels of land that were sold by tender, I then ask the Minister of Mines whether or not he can confirm or deny a report in the Boissevain Recorder dated April 25, that he has an interest in a company, in which case one of the shareholders of the company was in fact a successful bidder for one of those parcels of land?

MR. SPEAKER: The Honourable Minister of Mines, Resources and the Environment.

MR. RANSOM: Mr. Speaker, I can deny that allegation and I have asked the editor of the paper to print a correction. Whether he will do that remains to be seen.

MR. URUSKI: Mr. Speaker, perhaps the Minister could then tell the House whether or not he is still on the Board of the Directors of the Ransom Cattle Company?

MR. RANSOM: No, Mr. Speaker. And if the honourable member is referring to previous information that may be on file then it will be out of date.

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

MR. D. JAMES WALDING: Mr. Speaker, my question is to the Honourable the Government House Leader. I would like to ask the Government House Leader when the government intends to table Order for Return No. 55?

MR. SPEAKER: The Honourable Government House Leader.

HON. WARNER H. JORGENSON (Morris): Mr. Speaker, as soon as possible.

MR. WALDING: To the same Minister. Can the Minister give an explanation of why it has taken almost a year to take one paper out of a filing cabinet and copy it for the House?

MR. SPEAKER: Orders of the Day. The Honourable Member for Churchill.

MR. JAY COWAN: Thank you, Mr. Speaker. My question is to the Attorney-General. Approximately one month ago the Attorney-General took his notice a question in reference to the alleged cancellation of an inquest into the mining fatality that occurred at the Sherritt Gordon Mines operations at Ruttan Lake earlier this year. My question is, is the Attorney-General now prepared to report back to the House as to the status of that inquest?

MR. SPEAKER: The Honourable Attorney-General.

HON. GERALD W. J. MERCIER (Osborne): Mr. Speaker, no I am not. I am awaiting the final report and I hope to be able to be in a position to respond, if not by the end of this week early next week.

MR. COWAN: Yes, thank you, Mr. Speaker. A further supplementary to the Attorney-General. Can the Attorney-General indicate if his department's hesitation to clarify the situation is any indication that there has been a change in policy in regard to the holding of inquests for either workplace, or mining fatalities?

MR. MERCIER: No, Mr. Speaker.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. PAWLEY: Mr. Speaker, a further question to the Attorney-General. Can the Attorney-General advise that in view of the fact that we are at the verge of entering into an examination of the Attorney-General's Estimates, whether or not the Keith Knox Report pertaining to an evaluation of the Department of the Attorney-General will be completed and will be made available to members of the Legislature prior to our perusal of his department?

MR. SPEAKER: The Honourable Attorney-General.

MR. MERCIER: I have not yet received the report and even if I had received the report, Mr. Speaker, I've not given any undertaking to turn a copy of the report over to members opposite.

MR. PAWLEY: Mr. Speaker, then in view of the statement by the Attorney-General that he has not seen the report, and secondly that he has not given any undertaking, can he advise whether or not the report will be available at least to himself prior to a perusal of his department so that he can better equip himself and deal with the questions that will be raised during the examination?

MR. MERCIER: I am hopeful that I will have it prior to the Estimates, Mr. Speaker.

MR. SPEAKER: The Honourable Member for The Pas.

MR. McBRYDE: Yes, Mr. Speaker, a further question to the Minister responsible for the Manitoba Housing and Renewal Corporation. Quite separate from the telegram the Minister has received from the Town Council at The Pas, I wonder if he could confirm that he has received correspondence from Bell and Hone Street Homeowners' Association in regard to problems they are having with MHRC.

MR. SPEAKER: The Honourable Minister of Economic Development.

MR. JOHNSTON: Yes, Mr. Speaker, I received a letter that I know that the Minister got a copy of, the member got a copy of. It has to do with the mortgages on homes in the Bell Avenue subdivision he speaks of. We proceed in a very normal way, a procedure that has been carried on for many years. The bank we were dealing with that would be ultimately taking over the mortgages, their legal department pointed up a technicality to us and we had to make an alteration and we had to be put in a position to issue new mortgages to all of those people in that subdivision. Again we recognized the problem when it came up about three months ago. We have worked with legal people in The Pas to try and solve it. I received a letter from the lady with a petition today; their organization was formed last week and she has asked for a meeting with officials of my department within 30 days. I would like to assure the member that they will be there in one week.

MR. McBRYDE: Yes, Mr. Chairman, I am pleased to see that the Manitoba Housing and Renewal Corporation is finally taking some action on this matter. I wonder if the Minister could confirm that there were delays on the part of MHRC, that there was inaccurate information came from MHRC and there were numerous delays at MHRC.

MR. SPEAKER: The Honourable Minister of Economic Development.

MR. JOHNSTON: There was no intention of giving accurate information to those people. A legal technicality was pointed out to us by the bank's lawyers and we have had to correct it. We're well aware of it, and we're working on it.

MR. McBRYDE: Mr. Speaker, in light of the confusion that people from The Pas have found dealing with MHRC recently and the chaotic nature what they found at MHRC recently, I wonder if the Minister will take to investigate and rectify the bungling and the administrative mess that he has created.

MR. JOHNSTON: Mr. Speaker, it's pretty obvious who the only person is that's confused in this House. I've explained it to him, but he doesn't seem to have the ability to get it through his thick skull.

MR. SPEAKER: The Honourable Minister of Fitness and Amateur Sports.

HON. ROBERT (Bob) BANMAN (La Verendrye): Mr. Speaker, about three weeks ago, a member of the Opposition asked me what the government's intention was with regard to offsetting the cost of the demand billing system as far as recreation facilities in the province are concerned. I'm pleased to inform the member that the government has designed a policy which will provide assistance to recreation facilities which are adversely affected by the demand billing rate system and the government will be providing credits to these facilities two times yearly, once in the end of June, a credit on their Hydro bill and once in the end of December. The government will provide a grant which will be the difference between the general service rate and the demand power rate.

MR. SPEAKER: The Honourable Member for Lac du Bonnet.

MR. USKIW: Yes, Mr. Speaker. I would like the Minister of Mines to indicate when it was that he removed himself from the board of directors of the Ransom Farm, and secondly whether or not he is a shareholder to date. —(Interjection)— That's because you won't table the file.

MR. SPEAKER: The Honourable Minister of Mines.

MR. RANSOM: I believe, Mr. Speaker, that the question was with relation to Ransom Farms? —(Interjection)—

MR. SPEAKER: The Honourable Member for Lac du Bonnet.

MR. USKIW: Mr. Speaker, the article in the Boissevain Recorder refers to the Ransom Cattle Company. —(Interjections)—

MR. RANSOM: The honourable member has referred to Ransom Farms, of which I am a shareholder. I would have to check the record precisely, Mr. Speaker, but some time prior to the end of 1978. I'd be happy to provide that information to the honourable member.

MR. USKIW: The Minister didn't answer the second question, Mr. Speaker, and that is whether he is still a shareholder of the company.

MR. RANSOM: Well, that was the first question that I answered, Mr. Speaker, and I said I was not a shareholder of Ransom Cattle Company.

MR. USKIW: Well, Mr. Speaker, I would like to ask the Minister of Agriculture, since he didn't answer all of the questions that I put to him a few moments ago, when it is that we can expect the rest of the answers to the questions that were put to him in committee, and there are dozens of them that he took as notice but hasn't filed one answer to date.

MR. SPEAKER: The Honourable Minister of Agriculture.

MR. DOWNEY: Mr. Speaker, I said I would be prepared to peruse the Hansard of the committee and any information that hasn't been provided that I said I would provide, I will proceed to do so. But for a matter of clarification on the matter of the filing of any documents on MACC, we made it very clear we weren't prepared to do that. For further information, the land that was purchased was purchased by a C. W. Ransom, not by a Ransom Cattle Company or a Ransom Farms but by one in C. W. Ransom, as it said on the Order-Council, which all the public had an opportunity to see. And further to that, Mr. Speaker, the same Mr. Printer in the Boissevain Recorder was able to have the opportunity to advertise all the lands that were for sale in that particular area too.

MR. SPEAKER: The Honourable Member for Lac du Bonnet.

MR. USKIW: Mr. Speaker, during the consideration of the Minister's Estimates, there was a distinction made between the filing of all MACC records of transactions of all the clients of MACC, and those that were on record bases a public tendering system. We had asked the Minister then whether he would consider, and he took that under advisement, whether he would consider filing those transactions that were handled by public tender, and it seems to me that is a very normal procedure wherever we are disposing of public assets by public tender. That is the point that we are still pursuing, Mr. Speaker. Surely there is a distinction between the two.

MR. SPEAKER: The Honourable Minister of Agriculture.

MR. DOWNEY: Mr. Speaker, as I said in committee that the recommendation came from a board of directors to sell that land and we sold it at a reserve bid that was established over and above the cost plus carrying charges to the corporation.

MR. USKIW: Well, Mr. Speaker, surely the Minister of Agriculture would want to conform to the procedures in other departments, where public assets are disposed of by the tendering system, that the information is usually obtainable by the Opposition. And I would like to know why he makes the reservation with respect to those transactions handled by MACC.

MR. SPEAKER: The Honourable Member for Brandon East.

MR. EVANS: Thank you, Mr. Speaker. I'd like to address a question to the Honourable Attorney-General. Last year, a gentleman by the name of Mr. Graham Hague was appointed to a commission to inquire into the operations of lotteries in Manitoba. I believe the honourable gentleman has tabled his report and it is public. Could the Attorney-General, however, indicate to the House at this time what the cost was to the taxpayers of Manitoba in conducting this particular inquiry?

MR. SPEAKER: The Honourable Attorney-General.

MR. MERCIER: Mr. Speaker, I believe Mr. Hague made that public when he held a press conference releasing his report. However, I'd be pleased to provide the information to the member and I'll undertake to obtain same for him.

MR. SPEAKER: Before I recognize the Honourable Member for The Pas, there is one minute left. The Honourable Member for The Pas.

MR. McBRYDE: Mr. Speaker, then a quick question to the Minister of Resources. I wonder if the Minister could indicate whether he or his department is able to do anything to assist . . .

MR. SPEAKER: Order please. Can you please give us a little courtesy to the Member for The Pas to let him ask his question? The Honourable Member for The Pas.

MR. McBRYDE: Thank you, Mr. Speaker. My question to the Minister of Resources, Mr. Speaker, is is his department able to do anything to assist the fishermen on Lake St. Martin through the regulation and control of the Fairford Dam?

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

MR. RANSOM: Mr. Speaker, I'm not certain whether the honourable member is referring to the immediate situation or not. My understanding at the moment is that the flow of water through the Fairford Dam is at a maximum in terms of the control of the structure at the moment.

MR. SPEAKER: The Honourable Member for The Pas.

MR. McBRYDE: Yes, Mr. Speaker, I'll stretch the minute with a supplementary question. I wonder if the Minister's department is making plans in terms of the long-term regulation so that the fishery in Lake St. Martin is not harmed by the operation of the Fairford Dam?

MR. RANSOM: Mr. Speaker, that was a question that was addressed during the review of my Estimates, and I acknowledged at that time to the honourable member that there is a problem there that has been of some long standing, and it would require an expensive set of engineering works to alleviate the problem. I'm not even certain that it can be solved in that fashion, and I undertook at that time to be at least carefully examining what could be done, but the Water Commission had looked at the situation and their recommendations were rather less than optimistic, Mr. Speaker.

ORDERS OF THE DAY

MR. SPEAKER: The Honourable Government House Leader.

MR. JORGENSEN: Mr. Speaker, will you call Bills No. 2, 18, 20, 24, 25, 27 and then call Bill No. 11 for third reading, standing in the name of the Member for St. Vital?

ADJOURNED DEBATES — SECOND READING

BILL NO. 2, AN ACT TO AMEND THE FINANCIAL ADMINISTRATION ACT

MR. SPEAKER: The Honourable Member for Kildonan.

MR. PETER FOX: Mr. Speaker, I adjourned this bill for the Honourable Member for St. Johns.

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

MR. CHERNIACK: Mr. Speaker, The Financial Administration Act is as I believe the Minister of Finance said, or if he didn't say it he would have said being asked, that it's a very complicated intricate Act and equally as important as it is complicated, because it does establish the rules under which the government keeps his account and presents his accounts to the taxpayers and people of the province and therefore changes that are being proposed must be examined very carefully.

You may recall, Mr. Speaker, that in 1969 when the Conservative Party made its ill-fated decision to go to the people and was rejected by the people, the then Premier left on the table a large number of bills including the Supply for that year's Administration, and thereupon when we came

into office it became our task to clean up the mess left to us by the former Conservative administration. The legislative mess was such that there were — I'm really guessing now — I would say 30 or more bills prepared, drafted, ready to go and lying around, and of course all of the Estimates for the departments.

One of these bills that was lying around was The Financial Administration Act of which there were substantial amendments prepared ready to be proposed. We did, I must admit, a cursory review of the proposal trying to understand what was involved, because as I say it's a complicated and really important Act. We came to the conclusion that it was acceptable and I don't recall whether or not we, as a new government, or I, as the then Minister, made any changes from the bill as it had been prepared by the former Conservative administration. My impression is that we did not make any changes and we brought in the legislation, and again I have the impression that in the eight years of government — no that's not so, we did make some changes after that — I just opened the Act and I see a note that there was a change made in 1974 dealing with the destruction of outdated documents. There may have been some others, but I think they were of a very minor nature if at all, and for that period of time I think that we managed very well with the legislation.

I do recall meetings of Public Accounts whilst we were in government, there was quite a bit of discussion, and I remember that the present Minister reporting for the Telephone System was very much involved in almost all of the discussions we had in Public Accounts, and I think that the government was both accountable and did account — and I think to the satisfaction of the members of the then opposition — for all the accounts that were presented to the Legislature and reviewed by Public Accounts. I think some of the major discussions were dealing with proposals suggested by the Provincial Auditor for changes which he thought would improve the manner of accounting and therefore the accountability by government, and as far as I can tell his major proposals have not been accepted. I am thinking mainly of the proposals that he has made which would give him the authority to evaluate the effectiveness of programs for which moneys were voted in the Estimates.

Of course we do not yet have the proposed amendments to the The Provincial Auditor's Act, which I think will be Bill No. 3, but I asked the Minister of Finance and he stated that he did not consider that they were companion bills, and that they would be considered separately. So it may be that some of the proposals that I have referred to by the Provincial Auditor will yet come to us in the form of legislation.

I believe that the major change, which justifies this bill that's before us, is the consolidation of accounts, and it's one with which I have never quarreled. We discussed it at some time, gradually through recent years, other jurisdictions decided to consolidate the accounts in the same manner as the National accounts are kept, wherein Current and Capital would no longer be separated. I never had any quarrel with that, Mr. Speaker. I did feel it was well to present them all together. One of the reasons I'm looking forward to the budget that is yet to come is that I don't believe that it's going to be a balanced budget. As a matter of fact, Mr. Speaker, I'm going out on a limb and suggesting I don't think we're ever going to have a balanced budget now that we have consolidated or are proposing to consolidate the Balance Sheet.

Of course, a government which is a do-nothing government, as I believe the present government is, is likely not to do anything of a capital nature; and therefore, on that basis, it could well balance its books by not doing anything, and by cutting back on the increasing needs of the services which a government should be providing to its residents, to the members of the province.

So, I would think that the only way that they could balance a budget that is consolidated and therefore combines current and capital, would be by drastic cutbacks on any kind of a worthwhile service that governments should be offering. And that, of course, is a value judgment, and I'm expressing my judgment in advance. But what

I'm saying, and one of the reasons that the former government was slow and reluctant in making the change, was the danger of fuzzing the issue. Not that it can't be fuzzed; there are various ways whereby certain items could be called capital, and other items could be called current, even though they're of a very similar nature.

For example, through years gone by, many years gone by, highways could be charged to current costs, and highways could be capitalized, both with good and valid justification. One could say, "Well, we're building highways every year, so they should be current. They're paid for out of current dollars." On the other hand, one could say, with equal force, and equal logic, "Well, a highway will last 20 years, so why should we have to pay for it all at once? Why not spread it over the 20 years?" This kind of discussion could be carried on without any solution, and probably the best solution is to consolidate the accounts, as is being proposed now, and as I say, I was never really adverse to it. We didn't get around to it, it's not too vital that it had to be done, but I certainly would not object to it being done.

object to it being done.

But that is a justification, but it does not, in itself, describe the extent of the proposed amendments that we have before us. Mr. Speaker, I caution you, that because it's complicated, and because it's so far-reaching in that it does cover the financial accountability of the government to the opposition, and to the people, it must be very carefully reviewed.

There has been a principle that government accounts should be based on cash in and cash out every year. The cash flow would be what is reported, and the Auditor would be required to make sure that the Annual Statement shows the income and the expenditures as the income and the expenditures of that current year. There there are ways under the present Act, where there could be a certain amount of delayed entering, but it is really very little. And that is why we on the opposition last year were terribly distressed, shocked and reacted adversely to the decision of the government to postpone \$30 million of moneys from one year to the next year, once they learned that the federal government had decided that it had overpaid certain moneys under the Tax Collection Agreements, and gave notice they would deduct it in this current fiscal year. And we said that the present government made a \$30 million decision, which resulted in an increase in the apparent deficit, for which they were blaming the previous government.

That was very clear, Mr. Speaker. That \$30 million in the normal course would not have shown at all until this current fiscal year, when the federal government would be reducing the payments made by it to the Manitoba government. Instead of that, by a bookkeeping method, the government put that \$30 million as if it were an account payable, which it isn't, as if it had to pay it to the Government of Canada, which it didn't do, but would make it appear as if, when the Canadian Government, the federal government, would send a cheque, a monthly cheque, in during this current fiscal year, in effect the government would be adding to that cheque for its records a portion of the \$30 million to show increased revenue, which is not cash revenue and not cash flow.

And we felt that that was wrong to do, and we were glad that the Auditor found it necessary, for his own integrity, to note it clearly in the public accounts. There were other moneys of a similar nature, and when we attacked the government for its doing that, and I remember the word "manipulate" was used and the Minister of Finance was rather incensed when he heard it used — the only thing is, it was really used first by the Provincial Auditor — that it was a wrong thing to do. And we were told, "Well, it was done previously." And when we asked for chapter and verse, we didn't get it. We got a sort of a vague response, "Oh yes, it was done" — and I still think it was done in connection with a postponement of revenue, which is quite a different thing, Mr. Speaker.

More important than that, it was not done to prove a political nature, as between an incoming government and an outgoing government, and that, I think, is really bad. Because when you come to that stage, or when you come to an election year, one has to be very careful that the accounts of the province are not fuzzed in any way so that they're not clear, so that we can get wild accusations and wild assumptions that are not necessarily related to the fact, which would have been much more the case when there was a cash accountability, and a cash system.

So that, I must say, Mr. Speaker, that I am apprehensive about what avenues are opened by the proposals in this Bill that is before us. Not, as I say, that I am in disagreement with the principle of national accounting, or consolidated accounting, but that I fear other features in this Bill, which I don't know, but I'm afraid can create greater uncertainty.

When the Minister introduced the Bill, in his brief comments he mentioned that this change in the system would provide that there would be eight of the eleven governments in Canada would be using this type of system. I would like to ask of him, Mr. Speaker, when we get into committee, that he have ready for us, or give to us in advance, a comparison between the other existing systems in the other seven provinces, and ours. Because once one says it will be the same system, then one should know where are the differences. And I would ask that we have a form of concordance, saying, "These are the same, except for this section, or the other section, or this feature, or the other feature."

That would be a service to all members of this House, to be able to review the proposed new amended Financial Administration Act and to relate it to what is happening in other jurisdictions of this country. If the Minister is advocating its acceptance based on the fact that seven other provinces do do it, then I would ask of him if he has all the facilities available to him, to give us that kind of description as to the extent to which we would then become similar and the extent

to which we would differ. This is something that I would hope is already in his possession but if it isn't, I'm sure it could be gotten ready and should be if one argues it on that basis.

He has stated that he believes that this system will show the financial conditions more clearly and more accurately and we have to see that that is so because that is a desire which we all should share.

There are some features, however, that I would like to get a great deal of clarification on. Again, the Minister stated in his introduction that it was a decision not to show new buildings owned by the province at a value equivalent to the unpaid debts attached to it, that that would no longer be done that; present buildings that are paid for show as a zero value, that will be changed, and we must know very clearly what the intention is. It could be done in three ways. All the assets of the province could be shown at a dollar; all the assets of the province could be shown at replacement value. There are more ways: replacement value; all of the assets could be shown at some form of market value, although there is no market value that could be ascertained for the building in which we are at the present time; or it could be shown that all the assets would be shown at the value of the total debt still unpaid on the books of the province related to all of the assets. We'll need clarification as to how it is proposed to be done and what transition will take place.

And one of the things that I think that the Minister ought to agree to is that the next statement should be doubled, there should be a statement based on the pre-Act structure and a statement after the Act has been passed so that there will be a clear-cut comparison, and so there won't be all sorts of little footnotes, or no footnotes, which would be worse, dealing with the changes that have been made in order to change the system of presentation.

So I would suggest, Mr. Speaker, that it be quite an important feature relating to the integrity of the province as it presents its Public Accounts to the world as well as to Manitoba residents to show how the statement would appear on the basis of the Act now and how they would appear on the Act the other way. What it probably would need is an extra set of columns, or as far as the Assets and Liabilities section, it could be two separate portions of the Public Accounts.

Again, the Minister says, and of course it's in the Act, that the Minister of Finance has increased responsibility for the determination of the date on which the books are closed and I am quoting him — so that they may more accurately record the revenues and expenditures of the fiscal year. Mr. Speaker, the Minister used the words "increased responsibility"; I have to add, increased authority, and I question very much that the Minister of Finance should have unfettered authority to determine the date on which the books will be closed. I believe, and I have to be shown that I'm wrong, that this bill before us leaves it completely wide open for the Minister of Finance — and I don't mean necessarily this Minister; there will be many others to follow him and soon, I hope — that there will be an authority for that Minister to delay the closing of the books for a definite period, but a lengthy definite period.

The present Act states that the books shall be closed at a date not later than 15 days after the end of the fiscal year. Frankly, I'm not quite sure how we deal with the 20th of April as the date when it says 15 days, maybe it says 15 working days, but that's really not important. I haven't bothered to look into that minor discrepancy. But as I read the proposal, the present provision that it shall be not more than 15 days, is removed completely. And the Minister is given the power to declare the date, and I think he can declare a date a year from the end of the current fiscal year; two years. I won't carry it ad absurdum, but I am under the impression that he has given complete authority to fix that date in the future.

And the Minister says that it's obvious that the reason for that is to make it impossible for more, and again I quote, "more of an accrual approach". Mr. Speaker, again, as I read the bill, the accrual is based largely on the discretion of the Minister. And because I feel, and I say this sincerely and in full recognition, that any Minister with any political leaning and with any political acumen, could be in that position. The accrual feature is one which I think is not desirable.

You know, Mr. Speaker, it's very difficult and I think that the, is it CICA, the Accounting Society — Canadian Institute of Chartered Accountants; CICA — you know, they're still hung up, Mr. Speaker, on the private enterprise system of accounting which deals with two things. It deals with profit and loss which is not the matter of government, it deals with tax filing and it deals with those features which are legitimate expenditures or charges that can be used to reduce the reported profit. And I remember the surprise when I had when I learned that some national corporations of large size, had two statements quite openly. One is a statement to the public showing their accounts prepared in one way, and the other, the statement to the income tax office, prepared in such a way as to take advantage of various depreciations or various deductions which they are legally entitled to make, and I say this is no discredit to them because apparently it's quite legal and what they're doing is open and above board.

But those two features, the profit and loss basis, and the tax reporting basis are not applicable

to a government, and therefore I am not that impressed with the recommendations they make even though they say in making them that they're really not dealing with that aspect, but more with governmental filing and with the accountability required by various securities, bureaus of various counties. I think there is a little too much influence in that, and the only reason I say that is because there's a great deal of subjective judgment involved in the decisions which the Minister is proposing accrue to a Minister of Finance, based on accrual, based on various changes which would be made to a statement from the actual cash accountability, that we've been accustomed to, to a very large extent up to now, and what may happen both as to revenues and as to expenditures, although the treatment is somewhat different as proposed in this Bill.

We will want to go into that in great detail, Mr. Speaker, because when I read it and read it carefully, I was not clear — I admit that quite openly, not clear on some of the implications of what I read and we will have to explore that and explore it carefully in committee to get clarification from the Minister of Finance, from his administrative staff, from the Provincial Auditor, so that it is clearly known what it is that the government is asking to do. I would be inclined to oppose it to the extent that certain discretion can be used with limitations and with very clear, open, publicly visible review, then that would be, I assume, more acceptable.

There are other features and there is, for example, a re-enactment of the section, which requires that the Public Accounts shall have a statement of expenditures and revenues. It is similar to the present Act, except that the words, "a statement certified by the Provincial Auditor" are deleted, and as a result is just "a statement shall be filed" and that statement does not have to be, as I interpret it, does not have to be certified by the Provincial Auditor right away, Mr. Speaker. You would say, well, this must be a very important change. Why take away the certification by the Auditor of the Public Accounts? All sorts of ideas start running through your mind which may be completely unfair and unfounded, but Mr. Speaker, we must have an accountability for that reason.

Later on, it has been added that the Provincial Auditor shall give a report based on the examination, but Mr. Speaker, there's a difference between an auditor making a report and therefore comments, and a auditor certifying a statement. And I would not like to let any professional auditor off any hook, by saying, well, you don't have to certify the statement, you can make comments, because I've spent all of my adult life, which means, Mr. Speaker, more than 40 years in the law business and I have too much respect for the integrity of professionals to let any professional off any hook, where I feel that professionals through certification is something that is important for the people to review, and therefore I would be very concerned about this aspect. As a matter of fact, I start to wonder, are they going to go into the private audit system, with which I disagree. Obviously I do because I was the minister who changed it from private auditors doing Crown corporations to having the Provincial Auditor do it, and I must repeat what I've said on other occasions, Mr. Speaker' no one has greater independence in the auditing field than the Provincial Auditor, because no one can fire the Provincial Auditor except by, I believe, it's a two-third vote of the members of this House.

Now, Mr. Speaker, that kind of independence, you can't get very easily and all the respect I have for professional people will not let me say that a private auditor has that kind of independence, when we know that the changes by this government mean that this government can fire an auditor who audits a Crown corporation. I think that's wrong and I think the whole reason that the Provincial Auditor's integrity and independence is built into legislation passed, I don't know how many decades ago, was to make sure that no person responsible to be accountable to the people of Manitoba shall have the authority to discharge the auditor that certifies as to that account. And that is being set aside by this government, and will be set aside in legislation we have yet to see, by its decision to hire provincial auditors by Order-in-Council or, what is even worse, Mr. Speaker, by instructing the Auditor to accept as his agents certain named auditors as named by the Conservative government. But that we will deal with more extensively both in Committee and when we deal with the other Bill, but I said that in passing, that the independence of the Provincial Auditor, with whom I have had occasion to disagree with, who members on both sides of the House have had occasions to disagree, never shook me, and I assume others, in belief in his integrity and his independence. We could disagree with him in his recommendations, but we know his independence is quite secure. It's only once that Mr. Asper in one of the chairs over here made some suggestion, "Oh, but you, the government can decide what kind of car he drives, so you have influence over him. It might be a big car or a little car, new or old," and I think he was — well, one could never be quite sure the extent to which he was joshing or serious, but that kind of a crack was not acceptable to me and shouldn't be designed to make it appear as if the Auditor can be influenced strongly.

In any event, I want to have real discussion and clarification on the reason that the government is dropping certification by the Provincial Auditor and some kind of an assurance by the Legislative Counsel probably, that this will not give the government the right or the opportunity to hire a private

auditor to certify the books of the Public Accounts. I don't think that's there, but I have a right to make sure that it isn't there, because the government has already shown its inclination insofar as Crown corporations are concerned.

Dealing with accruals, there's a provision in this Bill that refunds for moneys paid in years, other than the current year, shall not be shown as an expenditure as they have been in the past, but should be deducted from the revenue of the current year. In other words, Mr. Speaker, up to now, I believe it has been the practice, and I suppose it's supported by the Act, that a refund made, let us say gas tax refund which occurs on occasion, if it's made in the year in which the gas tax was collected, it is deducted from the revenue and netted out. But if the gas tax is refunded in a year, for moneys paid in the preceding year, it is shown as an expenditure, and I think that's clear and correct. But the government is proposing by this Bill that a refund for gas tax paid in the previous year be shown as a reduction of income in this year. This distorts the picture and is therefore wrong. Worse than that, it not only distorts the picture in that the revenue is incorrectly shown for this current year, and therefore not predictable for future years or in the event of changes in the rate of taxation, not only that, but it may not even be visible. Now I'm not sure, maybe the bill provides that it should be visible in some way, footnoted or otherwise, or maybe it has to appear in the revenue section as being clearly total revenue less refunds. But then it's just playing games and I don't see the point to it under those circumstances.

But you know, one of the troubles is that when you change a system, you get into the kind of discussions we had last year and again this year, when you talk about percentage increases, percentage decreases, when you change the base, the percentage flies out of the window; and yet we debate the percentages different, knowing full well that the base has been changed, and when you change the base, when you reduce a refund expenditure from the expenditure side and deduct it from the revenue side, then of course your base is less. Therefore your percentage increase or decrease is different. So I'm not a reactionary in the sense that I'd like what was to continue, but yet one has to make sure that the change is necessary and has validity. One of the questions And we will want to question that very carefully.

that occurs to me is, this government wiped out succession duty taxation. Suppose, as they might, and as they will, make a refund in succession duties in a year in which there's no revenue, then I don't quite see how they're going to deduct the revenue unless they show a negative revenue in some way. But that's only an example of what could happen without saying that in itself it is wrong.

There is again, I believe, as I read it, clearly a provision that revenues may be credited to various fiscal years. In the past, revenues come in in a year and they're shown as revenues for that year. Now there's a provision made that revenues can be credited to designated fiscal year, which I believe means that certain kinds of revenue may be, with the concurrence of the Minister, designated to any fiscal year other than the current fiscal year, and that again seems to suggest that books will be re-opened, retroactively; maybe even after the public accounts have been published, they could be re-opened in order to allocate revenue or expenditure to a previous year. Mr. Speaker, it's not practical to envision it, but my quick reading of the bill would seem to indicate that that's a possibility. If it's a possibility, it should be justified. If it's an unintentional possibility, it should be stopped so that we know clearly where we are with proper fiscal management and fiscal accounting.

I've asked the Minister of Finance before, and I'm sorry I didn't ask him the question again today during the question period, as to what has happened to the existing unused capital authority. I am satisfied that I do not have a clear answer from the Minister. The Minister said last year that all capital authority unused as of March 31, 1979 will lapse. And I think he says it has lapsed. But my impression, Mr. Speaker, and I've said this before, is that it can't lapse unless there's an active act, an active deed by government. It can't lapse automatically because the legislation provides it shall not lapse. And I believe it can only lapse by an Order-in Council or of course by legislation. I looked at this act. I thought maybe here there would be a . . .

MR. SPEAKER: The Honourable Member has two minutes.

MR. CHERNIACK: Oh, Mr. Speaker, I wish you had warned me sooner. I will not be able to finish in that time, but if I'm required to, I'll have to quit. I appreciate, Mr. Speaker, there has been an indication of leave. I won't abuse it. I appreciate the concurrence of members opposite.

I believe that there's nothing in this act that lapses existing capital authority or capital authority as of March 31. I think that if it isn't in legislation, it must be by an Order-in-Council. I am not aware that there has been an Order in Council. I am concerned - to make sure that it has indeed lapsed, and the date by which it had lapsed, and again I ask the Minister of Finance please clarify it for us. Don't just say it has lapsed, but tell us how — show us. Show us that it has lapsed, because that's a Very very important confirmation we need in view of the fact that we're going into national

accounting. So that is clear, but there is a provision — let me find it now — dealing with lapsing of appropriations. I think that deals only with appropriations made in this current year and hereafter. But then there is a further provision for re-opening the books, and that concerns me, because if there is an appropriation set aside in some way prior to the close of the books, then I have to make sure just how the lapsing takes place when there is permission to re-open the books at another part of the bill. Mr. Speaker, I say again that I am not certain that the points making, some of these points are really a correct interpretation, and g, that's why I want to make sure that we have fullest opportunity to debate it.

I'll pass on, Mr. Speaker. I will mention the fact that there is a change being made for the issue of special warrants during this session. To me it's an amusing bit of nostalgia, when I remember how the Conservatives and Opposition had planned to embarrass the government greatly by prolonging debate indefinitely on interim supply and by our using the legislation, which as I explained earlier, they had prepared and presented to us for enactment; we were able to frustrate their endeavours. And I say that with nostalgia, because I remember at that time, I think we brought in interim supply about 20 days before the last day of the month, and frankly I wasn't aware that they were deliberately postponing it, whereas this year I think they brought it in with a couple of days to go. I think we accommodated them fairly well, although we did not pass it on the last day of the month, we were sure that we passed it before payday came around, some week after the first day of the month.

MR. SPEAKER: Order please. The honourable member's time is up.

MR. CRAIK: Mr. Speaker, I think we'd be quite prepared to grant leave for the member to continue.

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

MR. CHERNIACK: Thank you, Mr. Speaker. I had already thanked members opposite and I also indicated I did not intend to abuse the consideration I'm receiving from them.

Now there's another important feature in this bill, Mr. Speaker, and that relates to the power to create future commitments, and I read that as being pretty broad. As a matter of fact, I've heard it referred to as something like a no-cut contract. You know, we've had deputy Ministers fired, not by the stroke of a pen but by the wave of a hand. And I've seen several new Deputy Ministers hired recently, and maybe by using the future commitment aspect of this bill, they could guarantee a Deputy Minister or anybody a ten year no-cut contract, as we've learned to exist in the sports' world.

But seriously, Mr. Speaker, there is what seems to me to be an unlimited power to make commitments for the future by way of contract. That of course is designed to take care of the fact that the government is removing the authority in capital supply, the capital bill, and I suppose there is the need for doing that. We on our part put aside a special amount for the opportunity to the highways department to commit for the future certain contracts so that they can make sure that there's ongoing construction taking place, if the season permits. And that may be the intent here, but Mr. Speaker, I have the impression that it is an unlimited authority which could possibly bind for the next number of years, which is much stronger than the limitation that now exists under our present capital authority. There is an authority which is limited in the guaranteeing of debts to be acquired by Crown corporations of \$25 million, but that's a substantial amount of money, and I see no authority for government in its commitment.

There also appears to be an arbitrary allocation permitted as between self-sustaining and general purpose debt, and if that's so, then that is a terribly serious thing, Mr. Speaker, as you will realize. Because we've had substantial arguments here, about the total debt, dead weight debts, self-sustaining debt, and if the Minister has the authority to allocate, then again we're at the — I don't mean the mercy, but we're subject to the decision of one person as to which it is, and that sort of means to that the books will no longer be subject different interpretations.

There is a section dealing with retirement of securities and redemptions, which I admit freely, Mr. Speaker, I do not quite follow and which again we will have to deal with in greater detail. And finally, Mr. Speaker, and I might say on that aspect, that it opens the door to the possibility that the percentage of loan which has to be set aside to a sinking fund would be affected by whether or not certain securities have been retired. And as I say, that is a complication which I would want to study in much greater detail. The presentation of the debt based on exchange rates, I think is laughable. I don't think the Minister is that much in favour of it, because as he indicated today in answer to a question on the Japanese borrowing, there's a fluctuation takes place every day and really I think it's not meaningful to have that fluctuation shown, but I gather it will only be

shown as a matter of information and not as affecting the books of the province, and if my assumption is correct, it's not very serious either way.

There are other changes that I will not bother to refer to. I am concerned and have not studied the implication, but I am concerned about the fact that there are a number of sections that are being proposed to be retroactive to April 1st, 1978. I stress the "8" because it means retroactive to more than a year ago, and Opposition is always trained to look with apprehension at any retroactive clause, especially one dealing with public accounts, and that will have to be dealt with in great detail.

Having said all that, Mr. Speaker, we're prepared to let this bill go to committee. For one thing, we couldn't stop it from going to committee, I'm sure, Mr. Speaker, but there's no need to have a vote on it. Let it go to committee, but I caution the Minister and the House Leader that we will want to spend substantial time in reviewing in detail what is being proposed because of the seriousness with which we view this and which the government must view it.

Also I had asked the Minister earlier whether this would be a matter referred to public accounts, which I had suggested and the Minister had suggested might be the place where this would be discussed. I refer now to previous meetings of public accounts committee, where I think he suggested pretty clearly that this bill and the bill dealing with the Provincial Auditors Act could well be referred to public accounts. I would urge strongly that it be that way, Mr. Speaker. Public accounts is a smaller committee. It has spent considerable time on accounts. It understands accounts better than the large law amendments committee, and I would think that it would have a better opportunity for review and consideration if it were referred to public accounts committee. That's a matter that's always in control of the House, really in control of the House Leader, but I would recommend it. I would certainly insist, Mr. Speaker, that the Provincial Auditor must be present at the committee review. I would hope that, of course, the Legislative Counsel would be present or any other drafter of the bill, if it wasn't Legislative Counsel, would be present to give a full description of it so that we can be satisfied when it is passed that all the factors have been reviewed, have been clarified. If we disagree on any one, that we know what we're disagreeing on so that we can then have a bill with which we may have disagreed but which is still before us.

Mr. Speaker, I want to thank the Minister of Finance and other members for permitting me to speak at greater length. I didn't think I would, but as I say to you there is even more in the Bill that I would like to refer to but which time does not allow and nevertheless we will do so in Committee in great detail as I have indicated.

MR. SPEAKER: Are you ready for the question? The Honourable Minister of Finance will be closing debate. The Honourable Minister of Finance.

MR. CIK: Mr. Speaker, I would move, seconded by the Minister Reporting for Telephones that debate be adjourned.

MOTION presented and carried.

MR. SPEAKER: Bill No. 18, An Act to Amend the Natural Products Marketing Act. The Honourable Member for Kildonan.

MR. FOX: Let this matter stand, Mr. Speaker.

BILL NO. 20 — THE PERSONAL INVESTIGATIONS ACT

MR. FOX: Mr. Speaker, I adjourned this Bill for the Honourable Member for Wellington.

MR. SPEAKER: The Honourable Member for Wellington.

MR. CORRIN: Thank you, Mr. Speaker, my remarks will be very short. I believe that the Member for Inkster, who spoke with respect to this particular Bill last week, quite aptly and capably put forward the concerns that manifested themselves amongst members of our Caucus when we discussed the provisions of this particular Bill a short while ago. As the Member for Inkster indicated we are not satisfied that the Bill has been adequately drafted. It is our opinion that there are some technical defects in the legislation that would, if they were not rectified at Committee stage, impair the effectiveness of the legislation and we therefore at Committee will be working assiduously in order to convince members opposite that amendments should be considered and made prior to the proclamation of that particular piece of legislation.

So, Mr. Speaker, I can tell you that in principle we approve of The Personal Investigations Act.

We believe that the measures that we took in earlier part of this decade were necessary and we are quite frankly very proud that we, of all the jurisdictions in Canada, took the initiative of first introducing this sort of consumer protection legislation for the people of our province. But we would indicate for the record that no law is perfect and any law is capable of being revised and reformed and we respect that there has been a serious effort in this respect made by members opposite, and one in which we will join hands and join cause with them to bring forward in it's best possible form.

But, Mr. Speaker, in saying that I approve of what the Ministry opposite has done relative to personal investigations, I must say that I am not altogether satisfied what is being done relative to public investigations and the two really can't be dealt with on a mutually exclusive basis, Mr. Speaker. If we are going to talk about the restrictions on the private sector in not allowing wiretaps and so on, we should also talk about the public sector's prerogatives and ways and means by which we can assure the civil liberties of our people by limiting unscrupulous and often very unnecessary incursions into the privacy of our peoples.

Mr. Speaker, as I am sure that you are aware and as I am sure and confident that the Minister opposite responsible for this Bill is aware, in this country and we can thank the present government in Ottawa for this and I would indicate that this is not as a result of either of the two opposition parties, because they both voted against this legislation when it came forward in the Federal House, but in this country the police are still entitled to, this is the federal police, have warrants executed allowing them to intercept communication, in other words to wiretap on a basis that precludes the individual, the subject of the wiretap, from being told that he or she was the subject of such a warrant and of such activity. Mr. Speaker, this is alarming because what's disallowed on the private level is still allowed on the public level. In view of the fact that although there is notification — I should clarify my remarks. There is a requirement that there be notification, but the current legislation, which was passed in 1977, puts a three year moratorium or a limitation on the need for such notification to go forward to the subject. So for three years after any citizen has been the subject of such an investigation, he or she will not be aware that that transpired. Now, Mr. Speaker, this is frightening in a country that prides itself on the state of it's democracy and on it's democratic foundation. It's frightening and alarming that police powers have gone to that extent.

I should want to tell you, Mr. Speaker, that investigating this particular federal legislation I found out that even after a person is notified of the fact that there is a wiretap or there was a wiretap conducted, that there is a prohibition, an absolute prohibition, against them seeing the materials on which the warrant was originally issued and executed. So you are not entitled in Canada to find out why the Court issued a warrant allowing your telephone to be tapped, you don't know that. You just know that it happened but you don't know why. Now you can complain, there are provisions for complaints but you can't do it on the basis of the information that was before the court.

Now, Mr. Speaker, I think that this is a transgression of our basic freedoms and fundamental civil liberties and rights and I think that it is incumbent on us if we are concerned about these things, and this Bill is a manifestation of those concerns, it is incumbent upon us to rally forward and if in fact, and perhaps it won't be necessary, because perhaps the present government who seems so adverse towards civil liberties although they mouth so many platitudes in that respect, but if it is necessary and that government is reinstated in a few short weeks, then I would suggest that it is incumbent on us to rally forward and to indicate our displeasure with the legislation that is in existence in this regard in this country and to try and to do something about it.

While we are at it, Mr. Speaker, dealing with that same federal government, I think that it is absolutely imperative that somebody start to talk to them about their Official Secrets Act. It is ironic that Mr. Trudeau was elected in 1968 as being, and I think he was represented by all and sundry to be an imminent civil libertarian, a person who had considerable knowledge and had studied the length and breadth of Canada's constitution and had considered Human Rights Legislation and Bills of Rights on an international basis and he was mooted to have an international reputation in this regard. Well, Mr. Speaker, it's ironic that a person who enjoyed that sort of reputation should also be the only politician in the history of this country to have evoked the Official Secrets Act.

When we talk about personal and public investigations it is not, Mr. Speaker, a judicial enquiry, is not a judicial investigation, a trial, an investigation into the affairs of a person. And is it not, Mr. Speaker, an infringement of basic civil liberties when we are confronted with a position whereby a trial such as that can be held on a special basis, secreted and closeted from the public; where the accused can't even speak to anybody about the nature of the charges against him or the evidence that may be brought against him at a trial; where it's forbidden for anybody to print anything about the trial. Is that, Mr. Speaker, conducive to a democratic state of affairs? Is that in consonance with the principles on which this particular country is founded? I say, Mr. Speaker, that it is not.

So it's time to move, Mr. Speaker, beyond The Personal Investigations Act. It's time to reform the situation with respect to public investigations, even judicial investigations under The Official Secrets Act.

And, Mr. Speaker, lest we forget and I think it's important, we need needn't forget that Mr. Trudeau was also the author of that other calamity, The War Measures Act. He didn't pen it to his credit. He didn't actually author it, but he certainly ascribed to it. He ascribed to all its darkest, hidden meanings.

MR. SPEAKER: May I suggest to the honourable member that he keep his remarks related to the subject matter of the Bill before us.

MR. CORRIN: Mr. Speaker, I needn't remind you and of course you only made that point because I haven't got to point of my address where I was going bring to your attention the fact that we are dealing with The Personal Investigations Act and of course The War Measures Act gave carte blanche to the police and the armed forces of this country to investigate anybody for no reason at all, Mr. Speaker. There was no need for any warrant to be issued, there was no need for anybody to go before a judge, there was no need for any reason to be given, anyone could be investigated for any reason whatsoever. All civil liberties in this country were suspended when Trudeau signed the War Measures Proclamation - all of them.

Mr. Speaker, it is frightening because if you read the preamble to that legislation and it's certainly inferior to the preamble of The Personal Investigations Act that has been tabled in this Legislature. If you read the preamble you will soon find that virtually anything that the Federal Cabinet deems to be a state of crisis, anything of that nature, can result in the proclamation of the War Measures Legislation. Now, Mr. Speaker, that is frightening that one person, the Prime Minister in collusion with his colleagues, can with the stroke of a pen wipe out all of the civil liberties in this country.

Mr. Speaker, I suggest that that is not the purpose of the democratic process of the law making process. I am concerned that a person effectively in my position, a person who stands as a legislator can wipe out the rights — the fundamental human rights of all the citizenry of our land. It frightens me that legislation such as The War Measures Act can even be deemed to be constitutional. It frightens me, and, Mr. Speaker, it leads me to the conclusion of my remarks, and that is the necessity in this country of seriously considering the need for a Bill of Rights.

Mr. Speaker, I think that all these pieces of legislation bespeak the need. There is a need for something to stand in simple form, something that is easily read by all of our citizens, not something like The War Measures Act or The Official Secrets Act that defies even the interpretation of legislators, but, Mr. Speaker, something that can be read simply in a straightforward fashion, something perhaps even fashioned off the precedence set by the American Bill of Rights. Something that in a simple way declares what the rights of the citizenry of this country are.

I know that there has been an attempt in that respect, Mr. Speaker, and I would be wrong if I were not cognizant of that attempt and that effort and I am sure that the honourable Minister will bring this to my attention. But, Mr. Speaker, any person reading that Bill and reading the sad history, the very sad history, of that legislation will soon become aware of its limitations.

It was, Mr. Speaker, a fine effort on the part of the then Prime Minister, Mr. Diefenbaker. Frankly I think that what motivated him to do it was the highest regard for the office in which he stood. But, Mr. Speaker, he made compromises and I believe the honourable Minister responsible for this particular legislation before us this afternoon was in the House, I may be wrong, I think that he was actually a member of that government, and he will remember all the concerns expressed by various people in the provinces and he will remember that Mr. Diefenbaker was almost virtually forced at gun point to water down his dream.

Mr. Speaker, I tell you that it was unfortunate, it is regrettable in the history of this country that that event came to pass. That is perhaps the saddest commentary on the nature of the political process, this constant need for compromise, but it is sad and it is tragic because it was an idea before its time and it was an idea for its time. It was an effort that sadly and tragically, I think, has failed because of all of the limitations that were implied within the framework of that legislation. It was emasculated before it came out of that particular Legislative Assembly.

So, Mr. Speaker, in concluding my remarks, I would indicate again, that we on this side stand behind the principles embodied in the Personal Investigations Act. As a matter of fact, we rally behind this sort of legislation; we believe in it. But Mr. Speaker, we believe that if the philosophy embodied in this sort of legislation is to be realized in a broader sense, there has to be more comprehensive legislation in this country. There has to be a framework on which all rights are built, a proper Bill of Rights and somebody, but somebody has to do something about this morass, this morass of clandestine law that's on our books, principally federal books. Somebody has to look

into the wiretap legislation, somebody has to talk to the government about their proposed mail-opening laws, somebody has to talk to them about their Official Secrets Act, somebody has to talk to them about their War Measures Act. These things, Mr. Speaker, I say are intolerable.

So, Mr. Speaker, again, I commend my friends opposite for the legislation, with which they have presented us and I tell them, of course, again that we will be working assiduously with them to prime the technicalities, to tighten the nuts and bolts in order that it's the best possible piece of legislation when it leaves the committee stage. But we feel that further must be done. Thank you.

MR. SPEAKER: The Honourable Minister will be closing debate. The Honourable Minister of Consumer Affairs.

MR. JORGENSEN: Mr. Speaker, I move, seconded by the Minister of Agriculture that the debate be adjourned.

MOTION presented and carried.

BILL NO. 24 — AN ACT TO AMEND THE MUNICIPAL ACT

MR. SPEAKER: The Honourable Member for Lac du Bonnet.

MR. USKIW: Mr. Speaker, I would like to indicate that we have had an opportunity to peruse the Bill, and indeed, to study more fully the Minister's comments, and have really discovered that there is only one area of major policy change over which we have some degree of reservation and would hope that the Minister would be able to clarify it when he closes debate. That has to do, Mr. Speaker, with the provision that excludes Indian reservations from the boundaries of municipalities and LGDs. The concern that we have there, Mr. Speaker, is whether or not that will, in some way in the future, or even at the present time, as soon as this Bill receives Royal Assent, whether it will have the effect of reducing certain benefits to those people on reserves who are able to enjoy benefits based on provincial programs that applied to municipalities, which they were of course a part of under the existing legislation.

I'm talking about per capita grants, for example — that is a question that does arise, and I don't know how this Bill will affect future provincial per capita grants to reservations. There are a whole host of other provincial programs and many of them on an ad hoc basis that have been applied to municipalities. Will they now exclude the reserves from those kinds of benefits, where we introduce either work activity programs based on per capita funding, or whatever it is that the province may wish to do at the local level or support at the local level? Will the reserves receive the same treatment essentially that they have been entitled to, or have received in the past and to date, Mr. Speaker? So, if the Minister can clarify the impact on reserves by this change, Mr. Speaker, we would certainly be prepared to consider further in committee stage.

MR. SPEAKER: The Honourable Minister will be closing debate. The Honourable Minister of Municipal Affairs.

MR. MERCIER: Mr. Speaker, with respect to the honourable member's concern about per capita grants, one of the difficulties or problems expressed by a number of municipal organizations at the present time is that the Indian bands are getting the per capita grants directly now, and I assume will continue to get them directly, whereas generally in every other municipality, the municipality receives the total amount of the per capita grants, and yet, despite a number of reserves getting the per capita grants directly, there have been a number of instances where there have been disputes between the Indian reserves and the municipalities over services provided to the Indian reserves. But the member has referred to a number of other programs in general, Mr. Speaker. Perhaps we could discuss those in greater detail in committee and hopefully resolve the member's concerns.

MR. SPEAKER: Are you ready for the question? Is it the pleasure of the House to adopt the motion?

QUESTION put, MOTION Carried.

BILL NO. 25 — AN ACT TO AMEND THE HUMAN TISSUE ACT

MR. SPEAKER: An Act to amend The Human Tissue Act, standing in the name of the Honourable Member for St. Vital. The Honourable Member for St. Vital.

R. WALDING: Mr. Speaker, I adjourned this Bill for my colleague for Wellington.

MR. SPEAKER: The Honourable Member for Wellington.

MR. CORRIN: Mr. Speaker, I would thank my friend from St. Vital for holding the Bill in his name, in order that I could address myself to it this afternoon. I will try and be deliberate in the few minutes left before the Private Members' Hour, in order that I can express my opinion relative to this bill in complete form this afternoon.

Mr. Speaker, I would indicate first of all, that we on this side of course, are not necessarily so supportive of this particular piece of legislation, because in its forum and as its content demonstrates, it's what has to be described as bookkeeping and just very technical legislation. But Mr. Speaker, when one talks of this Bill, one has to look beyond that and look at what it deals with, what it is that lies behind it and this, of course, is the removal of the pituitary glands during autopsy procedures, in order that growth hormone can be produced. This is an extract that I'm informed is injected into the muscle of children who are suffering from dwarfism, and it enables them to enjoy normal growth progress thereafter. But Mr. Speaker, even though the subject comes in, as it were, on a negative and devious route, I'm advised by the Attorney-General that it's relative to the fear of the Chief Medical Examiners respecting medical pathologist's liability when they remove these glands.

I'm advised by people at the Growth Sciences Centre in our city, that this has been a practice for years, and that the real problem isn't the pathologist's liability, the real problem quite simply is that there are inadequate supplies of this particular material. As some of the members are aware, this material is stored in Winnipeg at the Growth Sciences Centre and then distributed from here all over Canada, so glands from all over Canada find their way to Winnipeg; they're broken down into growth hormone extract and sent out about the country.

The problem is, Mr. Speaker, that there's not enough of it — there's not enough of it to facilitate the purpose. Mr. Speaker, there is a very practical solution to this problem, and it lies in our wallets, in our pockets. If all of us were aware — and I would suggest that it's incumbent on the government members to notify the public, through public relations and advertising efforts — if all of us could be made aware that by simply marking an X on the back of our licence, we could donate our pituitary gland upon death to this particular centre, then I'm advised that there would be no problem with respect to supply at all. So, Mr. Speaker, we endorse the Bill, but we would ask the government to give consideration to widely publicizing the fact that the licences carried by members of the Manitoba driving public, do provide an opportunity for them to contribute to this very worthwhile cause. Thank you.

MR. SPEAKER: Order. The hour being 4:30, we're now in Private Members' Hour.

PRIVATE MEMBERS' HOUR

MR. SPEAKER: The first order of business on Wednesdays is Private Resolutions. The first resolution is Resolution 1. (As amended) Now, which we live, fails to provide adequate opportunity for citizens in our society to perform productive work." He agreed with that, Mr. Speaker. I would have thought that being . from the government's side, that he would have said, "No, I'm going to amend this, because I think that my Minister of Labour, my Minister of Economic Welfare, other ministers, Agriculture, involved in the generation of employment are doing a good job, that the economic system hasn't failed." But no, he left that alone.

And so, in other words, he agrees that they failed on that side: "And whereas the inability of individuals to gain employment is destructive of the individual", he accepts that too. Left that untouched, and he left the fourth paragraph untouched: "And whereas the non-utilization of the productive capacity of those not able to obtain employment is destructive of the composite wealth and well-being of society." Then he comes to operative part of the resolution. He amends it by deleting the call upon the government to implement such public and private programs that will ensure that every person in our society seeking employment will have the opportunity of obtaining same.

So, Mr. Speaker, what is the present position of government? The government is now saying, we agree that the economic system under which we live fails to provide adequate opportunity for citizens in our society to perform productive work. But according to the Member for Roblin, we

are not going to take any action to implement such public and private programs as will ensure that every person in our society seeking employment will have the opportunity of obtaining same. Mr. Speaker, it puts the government in somewhat of a dilemma at the present time because, you know, very shortly we are going to be dealing with a program of the Minister of Labour, a Job Creation Program, but you know, his own caucus has told him, "No, don't do it." You know, he should remove that item from his Estimates.

The Minister of Economic Welfare, you know, talks about giving welfare payments to industry to create jobs. Well, he should discontinue doing that too, because his caucus including the front bench, have told the government to remove the section calling upon the government to implement such public and private programs as will ensure that every person in our society seeking employment will have the opportunity of obtaining same.

So really, Mr. Speaker, what the government did in passing this amendment really puts them in an awkward position, because they are agreeing with the statement that what they've done or what they have not done has created a mess, but then they say, "But we're not going to do anything about it. We're just going to leave it as it is; we're not going to do anything about it".

And it was interesting, Mr. Speaker, a week ago Friday, when the Minister of Labour got up to confirm the reductions in the minimum wage; is what he did. He put his ministerial seal on the reduction in the minimum wage, Mr. Speaker, because, you know, Mr. Speaker, as of today, those at the minimum wage level who are fortunate enough in having employment, they're paying an extra dime to get to and from work as of yesterday. Because long before the Minister's promise may materialize, you know, because the first increase isn't going to come about until the first of July, but they have to pay the extra dime a day, plus the extra 20 cents a day that they have been paying for the past number of months. And it's an interesting concept, Mr. Speaker, you know, pay first and then hopefully you'll be reimbursed at a later date.

It was interesting that in making that announcement, the Minister articulated the government's definition of the right to work. You will recall, Mr. Speaker, when the Minister got up and he said, "I am not increasing the minimum wage for the people under 18 years of age because I do not wish to interfere with their right to work." That's what he said. He said, "I don't wish to interfere with their right to work". He said, "Now, if I increase the minimum wage for those people, that may jeopardize their chances of getting employment". So he said, "Look, I want you people to find jobs and therefore I'm not going to increase the minimum wage." In fact I'm surprised, Mr. Speaker, why wasn't he even more benevolent to the young people? Why didn't he reduce the minimum wage? Increase their chances of obtaining employment. Reduce the minimum wage to \$1.00 an hour. And because by the application of his rationale, which he espoused in the House, then if he had reduced the minimum wage, that should improve their chances of getting employment.

You know, it's interesting, Mr. Speaker, how one can take a socially and economically desirable principle and warp it and distort it and twist it, you know, to suit one's own needs without really saying so, because the Minister didn't really say what he has in mind. What the real thinking is of the government, but everything in the name of the right to work.

I remember once, Mr. Speaker, about 10 years ago, there was the forerunner of Folklorama and that festival, whatever it was called then, was held on Portage Avenue between The Bay and Eatons and that portion of the street was blocked off, and everybody it congregated. was a very nice affair, and I was standing in front of The Bay watching the proceedings. This was back in the days of the so-called hippie movement, and there were many of the so-called hippies on Portage Avenue. One lady came up to me, whom I have known for many years, whose husband was on City Council, and she says to me, "Ben, what do you think of all this?" I said, "I think this is very nice." You know, there were entertainment groups, the shopkeepers put their wares out in the street and so forth, and it was a beautiful day. I said I thought it was very nice. And there on the boulevard which was just recently sodded were many of the young people who were travelling across Winnipeg, and they were sitting on the grass. And she says, "But look at the grass. Look what they're doing to the grass." So the thought hit me that with a "Keep off the Grass" sign and with a penalty, you don't have to say "We don't want hitchhikers coming through our city. We don't want young people travelling through our city." All in the name of keeping our city clean, in the name of environment, in the name of protection, preservation of our environment. We could do all sorts of things without really spelling out the real reason, the real thinking in the back of our minds. And the same thing is happening here, Mr. Speaker, with the way the government is dancing around this issue.

You know, that gang over there, Mr. Speaker, they're not saying that they're opposed to the organization of labour. They're not saying that they're opposed to collective bargaining. They're not saying that they're opposed to the payment of a decent wage. They're not saying that they're opposed to giving the employees the human rights that they're entitled to. But they're saying, "We

support the right to work". I would suspect, Mr. Speaker, that in the days of slavery, the slavemaster said the same thing to his slaves when there was a move afoot to abolish slavery, and he would tell his slaves, "Look, I'm going to fight these abolitionists, because I want to keep you" — and he's not going to say, "I want to keep you in slavery." — "I want to protect your right to work. Because as long as you're a slave of mine, you have work. Because look what these abolitionists are clamouring for. You're going to become a free man and you will have to go out looking for work, and you know, there's a certain measure of unemployment out there. You want to be free? Look, I am protecting your right to work." So he doesn't have to say, "Look, the reason why I'm opposed to the abolitionists is because I favour slavery. I want to see slavery perpetuated." He will say, "I want to protect your right to work."

So, Mr. Speaker, really I think that it's very apparent that when the government side talks about the right to work, their conception of the right to work is a toughening up of the laws governing certification. That they call protection of the right to work. They would like to see laws weakening the position of the worker while on strike. That they call protection of the right to work. They would want to see a state of economic affairs which would allow wages to find their lowest level. That too they would call a protection of the right to work, but they'll never say that, "Look, we're opposed to paying a half-decent wage. We're opposed to seeing workers organize. We're opposed to seeing workers negotiate and in fact, if need be, withdraw their services in support of their demands." They wouldn't say that they're opposed to those things. They will say, "Look, we're the defenders, we're the freedom fighters. We're the defenders of the right to work". And everything will be articulated in those terms, in much the same manner, Mr. Speaker, as well you may not have heard, but I'm sure that you do read Hansard, as the elitist education program that's gradually creeping in. It's being defended in the name of Back to the Basics. And nobody on that side breathes a word that they want to institute an elitist education program, but it's all in the name of Back to the Basics.

And the same thing in labour legislation. All in the name of back to work to bring about the type of laws that the government wants, but it speaks of it in terms of the right to work, to which notion they only pay lip service, because the real objective is to remove the rights and powers of the worker, and to put them in the hands of the employer. That's their concept of the right to work. That's their concept of the right to work, and let the employer do with the employee what he pleases, all in the name of the right to work. And he'd be able to justify the doing of anything with his workers in the name of the right to work. Reducing their pay, laying them off, all in the name of the right to work.

So I would want to help the government, Mr. Speaker, so here we have a situation where you have a resolution with a preamble not objected to by the government, but by the nature of the amendment of the Member for Roblin, obviously agreed to by the government, that they agree that the economic system under which we live fails to provide adequate opportunity for citizens in our society. Because otherwise the member had full opportunity to amend that section. He had the full opportunity to amend it. But he chose not to. I must give the Member for Roblin credit for that. You know, sitting from his vantage point up at the back and looking down the front bench and observing their actions for the past 18 months, he says, "Yes, there's some truth to the resolution of the Honourable Member for Inkster." Those fellows, my colleagues sitting in front of me

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

MR. HANUSCHAK: Thank you, Mr. Speaker. They have in fact allowed and contributed toward the failure of our system in providing adequate opportunity for citizens in our society. So to allow the government to somehow wriggle itself and extricate itself out of this dilemma, I would like to give maximum opportunity for the debate of this issue and in the event that the government erred in allowing the Member for Roblin to bring in the amendment that he did, I'm sure that the government would want to correct its actions. So therefore, Mr. Speaker, I would want to introduce another amendment which would allow the government to properly and fully articulate its definition of the right to work.

So therefore I would move, Mr. Speaker, seconded by the Honourable Member for Winnipeg Centre that the proposed resolution be further amended by adding thereto the following: "Be it further resolved that this House endorses the Rand formula, formulated by Mr. Justice Rand of the Supreme Court of Canada, and other freely negotiated forms of employee organization security. Excuse me, Mr. Speaker, while I just add — to make the amendment clear, Mr. Speaker, if I may. Be it further moved by myself and seconded by the Honourable Member for Winnipeg Centre, that the proposed resolution be further amended by adding thereto the following: "Be it further resolved that this House endorses the Rand formula formulated by Mr. Justice Rand of the Supreme Court

of Canada and other freely negotiated forms of employee organization security."

MR. SPEAKER: Order please. The word is organization, not organizationale, is it?

MR. HANUSCHAK: Mr. Speaker, as it reads, as corrected. It's "employee organization security."

MR. SPEAKER: It has been moved by the Honourable Member for Burrows, seconded by the Honourable Member for Winnipeg Centre, that the proposed resolution be further amended by adding thereto the following: "Be it further resolved that this House endorses the Rand Formula, formulated by Mr. Justice Rand of the Supreme Court of Canada, and other freely negotiated forms of employee organization security." Are you ready for the question? The Honourable Member for Inkster.

MR. SIDNEY GREEN: Mr. Speaker, I'm really very happy that the Minister of Labour is back in the House to examine what he has to vote against this time. We had him, Mr. Speaker, on this resolution, voting against, urging the government to implement programs in the public sector, and in the private sector, so that people seeking work could have the opportunity of employing same. That was the first thing that the Minister of Labour voted against.

The second thing that he voted against, Mr. Speaker, was freedom of association, free collective bargaining, the right and responsibility of employees to benefit from and honour terms and conditions of employment negotiated by the bargaining agent of their choice. And now, Mr. Speaker, we're going to give him the opportunity of voting against Rand Formula and other freely negotiated forms of employee organization security.

If it runs true to form, Mr. Speaker, the Minister of Labour, when he votes against this provision, will be supported by all of the backbenchers and the front benchers of the Conservative Party. And, Mr. Speaker, the Minister of Labour of the Province of Manitoba is going to have a record. He's going to be the only Minister of Labour in Canada who ever voted against free collective bargaining, freedom of association, Rand Formula, and freely negotiated forms of union security, and a proposal that we urge government to do whatever they can to create jobs in the public and private sectors for people seeking work.

You know, I've just been reading remarks that were made by the Member for Lakeside yesterday. I'm sorry I didn't read them all, but the few comments that I read is that we're creating jobs. Mr. Speaker, we're creating jobs in the private sector. Isn't that ludicrous, Mr. Speaker? We are creating jobs in the private sector. How are we creating jobs in the private sector? By giving them public money, Mr. Speaker, by giving them public money. Jobs are created in the private sector by substantial donations of public money. That's the way, Mr. Speaker, these rugged individualists, free-enterprisers work. If you will give me public money, collect it from all of the taxpayers in the Province of Manitoba, we will have private sector jobs.

And, Mr. Speaker, that goes back, and will be the full circle of the Conservative Party of the Province of Manitoba. There will not be spontaneous job-creating activities on the part of the private sector. The private sector has failed — it has failed before, it is failing now, and given opportunity, will fail again. But the honourable members on the other side are so doctrinairily ideologically wedded to the private sector that they will say, "We won't let you fail, we'll give you public money."

Well, Mr. Speaker, what could be more ridiculous than a suggestion that jobs are created in the private sector, if it needs public money to do so. Do you know where that led to? In 1966, the province was in . . . well, it would be more like 1965, the province was in deep trouble. Nothing was happening. This province was stagnating under a Progressive Conservative administration. Well, do you know what they did?

First of all, they said they're going to build a Nelson River Development Plan, and they're going to spend — and at that time it was \$1 billion in public money — to do the following things, Mr. Speaker: To have Lake Winnipeg Regulation, the Churchill River Diversion, a transmission line carrying power from the north that was generated by the Nelson River, to the southern part of our province, and available for export. And this, Mr. Speakek, was going to rejuvenate jobs in the Province of Manitoba — \$1 billion public money.

It resulted in a lot of private enterprise, because the public has to buy things from private firms. And we had Commissions of Enquiry to determine what was bought in Grand Rapids by Hydro, and who made money, and why they made money. But that was only one program, Mr. Speaker, and that's not the blatant one.

I want my honourable Conservative friends to see how another 1,000 jobs were going to be created in the private sector. Do you know how it was going to happen? Mr. Roblin, Mr. Lyon — (Interjection)— there's a handshake, Mr. Speaker. There is a picture of Mr. Roblin shaking hands

with Oscar Reiser in Switzerland, saying that Reiser is going to invest \$100 million in the Province of Manitoba. This was the other program. There were two programs with which they went to the people of the Province of Manitoba in 1966. Nelson River Development . . .

MR. SPEAKER: Order please. May I suggest to the honourable member that he confine his remarks to the amendment to the . . .

MR. GREEN: Mr. Speaker, we are dealing with Right to Work, and how jobs are created, and this amendment, Mr. Speaker, says that when you create such jobs, that you are going to see to it that they are not what the Honourable Member for Burrows said, that it's not the right to slave, it's the right to work.

And I am indicating, Mr. Speaker, that the reason that the Conservative Party will vote against the right to work, and vote for the right to slave, and will therefore defeat this amendment, is because, Mr. Speaker, they say if there is reasonable union security, reasonable Rand Formula, they're going to drive free-enterprisers out of the Province of Manitoba.

In order to get these free-enterprisers into the Province of Manitoba, you have to have, (1) low minimum wages, (2) laws against unions, (3) preferably child labour, (4) preferably, well . . . —(Interjection)— court imposed labour. The honourable member has a fifth one; he says wife beating — you can add that on if you wish. This, I got, from the Honourable Minister of Highways. —(Interjections)— You fellows, I know. Mr. Speaker, they're waiting . . . why don't you guys let me? They're waiting anxiously to find out about this \$100 million private investment that Mr. Roblin went to the people of the Province of Manitoba, that he was going to build a pulp mill in The Pas. And Mr. Evans said, "They don't need public money, they have sources of their own." What were their sources, Mr. Speaker? The secret Manitoba Development Corporation, which gave them a loan of \$92 million to create rugged individualism in the Province of Manitoba.

That's what my learned friend, the Member for Lakeside, my friend, the Minister of Highways, talks about when he says we're creating jobs in the private sector. Why was there any money paid to create these jobs in the private sector? If the Conservative Party need public money . . . I mean, it is the private sector. The New Democratic Party is the private sector too, but is that private creation of jobs to get money from the government and pay it to the private sector?

Mr. Speaker, they say they hired 4,500 people that way. That's far more civil servants than they got rid of. Far more people were hired with public money under this so-called private sector initiative than were let go in the Province of Manitoba, that were doing jobs within the public sector; but both are being paid with public moneys. So, how does it become a private sector ob?

Mr. Speaker, my friend, the Minister of Labour, has left, and maybe he did not want to hear what we have in store for him. Because now, Mr. Speaker, last week, the Minister of Labour said here's what should not be connected with the right to work, according to the Conservative Party of the Province of Manitoba:

Freedom of association — that's no good, wipe it out; free collective bargaining — bad, wipe it out; the right and responsibility of employees to benefit from and honour terms and conditions of employment negotiated by the bargaining agent of their choice — bad, Mr. Speaker.

You know, there was an employer who went to court on Friday; didn't have the courage to notify the other side, got an injunction from the Manitoba Theatre Centre against eight employees, who they said if these employees are not forced by the judge to go to work, the show will not go on. So, he got what they used to get in the good old Tory days, and are giving again now, apparently, that the Tories are back. He got an injunction requiring those people to work. Well, it didn't last long, because I do believe, Mr. Speaker, that the judge who gave that injunction was imposed upon by the Manitoba Theatre Centre lawyer, as to a situation which was not in accordance with what the facts were, or what the law is, in particular. And the injunction was dissolved by Mr. Justice Morse on Monday.

But nevertheless, Mr. Speaker, that's what the Tories want. That's what the Tories want, because . . . how do I know that they want it? They told me so. They got up, every one in their seats, on a recorded vote, and voted against freedom of association.

MR. CHAIRMAN: Order please. Order please. May I suggest to the honourable member that he consult Citation 315 of Beauchesne, fifth edition. If I may read to him Item No. 2: It is irregular to reflect upon, argue against, or in any manner call in question in debate the past's acts or proceedings of the House, on the obvious ground that, besides tending to revive discussion upon questions which have already been once decided, such reflections are uncourteous to the House, and irregular in principle, inasmuch as the member is himself included in and bound by a vote agreed to by a majority. And it seems that reflecting upon or questioning the acts of the majority is equivalent to reflecting upon the House. —(Interjections)—

MR. GREEN: Mr. Speaker, Mr. Speaker, far be it to me to reflect upon it; far be it to me to say . . . to question it. As a matter of fact, Mr. Speaker, I want to announce it from the rooftops. I don't want to reflect upon it. I want to announce that this House, governed by a Conservative majority, and with each member of the Conservative Party; and I would like, Mr. Speaker, that it should be emblazoned somewhere — I mean, somewhere where it could be taken down. Somewhere where it could be taken down after it's had its effect, that the Conservative Party voted against the right to freedom of . . . I'm not reflecting upon that. I'm stating it as a fact, that they voted against the right to freedom of association, free collective bargaining.

But, Mr. Speaker, you know there is more than one reason for not discussing a subject; if you don't want me to discuss it under the Rules, I'd sort of like to discuss what they're going to vote against next week. I mean, why . . . the wonderful things that they are going to vote against next week are much more worth talking about than the wonderful things that they voted against last week. But we're going to keep a good record, particularly for the Minister of Labour.

Because I think that the Ministers of Labour of all of Canada should have sent to them what the Minister of Labour in Manitoba has been embarrassed by his short-sighted and short-thinking colleagues, into having his name associated with a vote against. So what do we have them voting them against today — Rand Formula. Rand Formula, Mr. Speaker, is a form of Communism that was introduced by Supreme Court of Canada and Mr. Justice Ivan Rand, in relation to a strike of the Ford Company of Windsor, I believe it was.

And what happened there is that the employer said that he would sign a checkoff of union dues to anybody who asked for it, but he would not require any union dues to be paid . . . or, no, he would not require a person to be a member of a trade union . . .

MR. SPEAKER: The honourable member has five minutes.

MR. GREEN: Thank you . . . would not require a person to be a member of a trade union who didn't want to be. And the union said, "We want all of the employees to be members of trade unions." So there were different positions on either side. Mr. Justice Rand said that the union is right, that everybody should contribute to the costs of the organization, because they all get the benefit of the wages, they all get the administrative services of the union to take grievances, and each is entitled to receive benefits, therefore, each must pay.

On the other hand, the employees are right; that a person who doesn't wish to be a member of a trade union should not be required to be a member of a trade union. And, therefore, he recommended a settlement — or it might have been an arbitration award, because I rather suspect the company wouldn't have taken a settlement, but I can't be sure of that — he made an award which said, Everybody pays union dues. Everybody. But those who don't wish to be members of the union are not members of the union, and their dues are paid as administrative costs of the union, and they can declare themselves to be non-members. But everybody pays the dues.

And that is essentially Rand Formula. It is something which is accepted in all parts of this country. As a matter of fact, and believe me, this is not my particular bias, it is part of the laws of the Province of Manitoba. If you get a collective agreement, there is a checkoff of union dues. It's legislated. I am not a fan of legislated Rand Formula. I did support it; I did vote for it; I'm not in principle opposed to it; but I think that it is much better to have it negotiated because I frankly worry, Mr. Speaker, when politicians are conferring rights on me. I believe that my rights are very very vulnerable indeed.

You know, there is a statement in The Labour Relations Act, that every person has the right to be a member of a trade union. There is no statement in The Labour Relations Act that every person has the right not to be a member of a trade union. But which right is more respected? The more respected right is the one not to be a member of a trade union. Nobody can argue with that. Nobody is required to be a member of a trade union.

Mr. Speaker, nobody is required to be a member of a trade union. If there is a place where a trade union has a closed shop, and the person wants to work there, he is required to become a trade union member in order to get that job. But he doesn't have to work there. He doesn't have to work there, and therefore is not required to be a member of a trade union.

It is the same way, Mr. Speaker, as I have to pay dues to the Law Society. But I don't have to belong to the Law Society. I can choose not to be a lawyer. And we lawyers, and doctors, and dentists, and other people — we weren't stupid enough to try to make people voluntarily do this, walk on picket lines, and say, "If you're not a lawyer, you're a scab." We went to some lawmakers, and we said, "You pass a law that says, if you practice law, you have to be a member of the Society, and if you're not and you practice, we'll pass a law saying you can go to jail."

Lawyers are much smarter than steelworkers, packinghouse workers. At least they have more

power. So, the steelworkers have to do it by a form of collective bargaining. First of all, they have to get a majority of people to agree to have a union at all. And then, when they get that majority, they have to go to a Labour Board, and get the permission of the Labour Board that they will be certified. After they're certified, they still have nothing. They have to then negotiate with the employer, who is under no obligation to sign a collective agreement with them. And if he wants to, he can fire them all, and hire a whole new group of people. Nobody's going to deal with lawyers that way, I'll tell you. We got a Law Society protecting us, where we will throw the people out and put them in jail if they try to steal our jobs. Nobody's going to handle us that way.

But, Mr. Speaker, we are now inviting the Minister of Labour to run true to form, to vote against Rand Formula, and to vote against freely negotiated forms of union organizations which have been predated any labour legislation in the Province of Manitoba. And if we're not mistaken, Mr. Speaker, we're going to add to that list, things that the Manitoba Minister of Labour has voted against: Jobs, in both public and private sector; (2) freedom of association . . .

MR. SPEAKER: Order please.

MR. GREEN: But won't you let me complete the list, Mr. Speaker. Somebody else will have to complete it.

MR. SPEAKER: Order please.

MR. GREEN: But there will be a list.

MR. SPEAKER: The honourable member's time has expired. The Honourable Minister of Labour.

HON. KEN MacMASTER (Thompson): Mr. Speaker, I appreciate the opportunity that I can now have to speak to the amendment. The amendment, in effect, is not really all that bad, but I have —(Interjections)— as the Member for problems with portions of it Inkster is aware, and I'm sure that . . . well, Mr. Speaker, if I can continue. I don't only have problems with the amendment, the Member for Burrows has pointed out some of the problems that I certainly have with a lot of the whereases.

I'm prepared to say that it's my fault that I didn't get to my feet sooner, I suppose, and speak on some of the whereases; things happen sometimes where you end up speaking on something that's been amended, and you don't really agree with the principles that were stated in the beginning

The principle of the resolution in itself is a fairly major concern, and as amended, it still leaves a great deal of difficulty in my mind to support it in its entirety. What it really suggest Mr. s, Speaker, is that our economic system is a failure. It is not capable of providing adequate employment opportunities for people in this province, and indeed, for people in this country. And this to me suggests that the Member for Inkster would like to see a new type of economic and social system established — perhaps even a new type of utopia society where people are not only given the opportunity to work, but maybe are forced to work.

As I see it, our economic system may not be perfect, but it's one of the best in the world. And I wouldn't like, Mr. Speaker, to see it tampered with in an effort to achieve some type of unrealistic goal. Our economic system has given people freedom and opportunity to use their ingenuity and their talents to better thmselves, and in so doing, to better society, our economy, and the living standards of all our citizens. —(Interjection)— Well, if the Member from Wherever wishes to stand up and join in the debate, I'm sure he'll be welcomed and recognized by the Speaker at the appropriate time.

The freedom and opportunities provided by our economic system have enabled individuals and people in general to build a very strong and viable economy, which has given this country one of the highest living standards in the world. It is a system in which I have great confidence, and which I am proud of. It is a system which has allowed people to develop these potentials, in an atmosphere of security and freedom, and without fear. It has enabled us to build a country and a society with standards which, on balance, we must be all proud of.

Our economic system may have its imperfections, and it may have its ups and downs, but I cannot accept this as a reason to create a totally new type of economic system based on these unrealistic goals. Our system has also served us well, and provides excellent opportunities for our citizens to engage in productive work.

In many cases, people may not avail themselves of the opportunities available to them, and in some cases, the system may not work as well as we'd like it to. we must pay for the freedom

and it is the price But that is the price that I am willing to pay and a price that the people of the Province of Manitoba and I believe the country are prepared to pay.

Mr. Speaker, I am generally content with the economic system as it is in our country even with its imperfections and it is for these reasons that I can't support the resolution as amended. But, Mr. Speaker, I propose, moved by myself, seconded by the Minister of Mines that we further amend the resolution, that the proposed resolution be further amended by adding thereto the following: "That this House endorses a principle of checkoff of union dues as prescribed under Section 68 of The Labour Relations Act and other forms of freely negotiated union security."

MR. DEPUTY SPEAKER: The Honourable Member for Inkster.

MR. GREEN: Mr. Speaker, I almost don't wish to say this because I have no objection to it, but it is out of order. You are dealing with an amendment on the floor. You can only now amend an amendment. My friend probably didn't know that an amendment had been put by the Member for Burrows and he is now speaking to the amendment, he is not speaking to the resolution. It would have to be the amendment that would have to be amended.

MR. DEPUTY SPEAKER: Order please. We will have to take this matter under advisement. I will take this matter under advisement and make a decision on it as soon as possible.

The Honourable Government House Leader.

MR. JORGENSEN: Mr. Speaker, under these circumstances perhaps there is a disposition to call it 5:30 p.m. So I would accordingly move, seconded by Minister of Economic Development that the House do now adjourn.

MOTION presented and carried.

MR. DEPUTY SPEAKER: The House now stands adjourned until 2:30 tomorrow afternoon (Thursday).