

LEGISLATIVE ASSEMBLY OF MANITOBA
Wednesday, 30 April, 1980

Time — 2:00 p.m.

OPENING PRAYER by Mr. Speaker.

PRESENTING PETITIONS

MR. SPEAKER, Hon. Harry E. Graham (Birtle-Russell): The Honourable Member for Minnedosa.

MR. DAVID BLAKE: Mr. Speaker, I beg to present the petition of George Kent Gooden and Others, praying for the passing of An Act to Incorporate Brandon University Foundation.

Mr. Speaker, I beg to present the petition of Ingibjorg E.A. Hawes and George W. Hawes, praying for the passing of An Act for the Relief of Ingibjorg Elizabeth Alda Hawes and George Wilfred Hawes.

READING AND RECEIVING PETITIONS

MR. CLERK: The Petition of The Congregation Shaarey Zedek, praying for the passing of An Act to amend An Act to amend, revise and consolidate An Act respecting the Congregation Shaarey Zedek.

**PRESENTING REPORTS BY
STANDING AND SPECIAL COMMITTEES**

MR. SPEAKER: The Honourable Member for Radisson.

MR. ABE KOVNATS: Mr. Speaker, the Committee of Supply has considered certain resolutions, directs me to report progress, and asks leave to sit again.

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

MOTION presented and carried.

MR. SPEAKER: Ministerial Statements and Tabling of Reports . . . Notices of Motion . . .

INTRODUCTION OF BILLS

HON KEITH A. COSENS, Minister of Education (Gimli) introduced Bill No. 31, The Public Schools Act. (Recommended by His Honour the Administrator of the Government of the Province of Manitoba)

MR. COSENS introduced Bill No. 19, The Education Administration Act. (Recommended by His Honour the Lieutenant-Governor)

MR. FILMON introduced Bill No. 45, The Investors Syndicate Limited Act, 1980.

ORAL QUESTIONS

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. HOWARD PAWLEY (Selkirk): Mr. Speaker, since the Minister of Finance issued a statement this morning which he did not have the courtesy to

announce in the House itself, I have some questions to pose to the Minister of Finance pertaining to his statement pertaining to the new mine plant near Flin Flon.

The first question to the Minister is whether or not the Minister can advise as to whether this was the same line in which the Manitoba Mineral Resources Limited had an interest in, dating back to the term of the previous administration, an interest in the mine itself.

MR. SPEAKER: The Honourable Minister of Mines.

HON. DONALD W. CRAIK (Riel): Mr. Speaker, first of all, I made an announcement, a public announcement, this morning to coincide with an announcement made by Hudson Bay Mining and Smelting from their Toronto office at 11:30 Toronto time. I will table a News Service release which was issued at the time. The property involved is known as the Granges property, about five miles out of Flin Flon. It is a joint venture between Hudson Bay Mining and Smelting, the Granges group and Manitoba Mineral Resources.

INTRODUCTION OF GUESTS

MR. SPEAKER: Order, order please. I would ask the indulgence of the House to do something I omitted to do and that's to introduce to the members of the Legislature 40 senior citizens from the New Horizon Club, from La Verendrye constituency, under the direction of Mr. Menno Doerksen. This is in the constituency of the Honourable Minister of Fitness and Amateur Sport.

We also have in the Speaker's Gallery, the Clerk from the Alberta Legislature, Mr. Stefaniuk.

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

ORAL QUESTIONS (Cont'd)

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. PAWLEY: Mr. Speaker, supplementary to the Minister of Finance, can the Minister of Finance confirm that indeed the government of Manitoba had once an interest in this mine to an extent near 50 percent, rather than the present 25 percent announced in his statement this morning?

MR. SPEAKER: The Honourable Minister of Mines.

MR. CRAIK: Mr. Speaker, the Leader of the Opposition is correct in his second question, the interest held on the property was by the Manitoba government prior and not by Manitoba Minerals. Manitoba Minerals was brought into the picture by the present government in October, 1977, and has held the interest on behalf of the Manitoba government since that time.

Prior to the current share distribution there was a distribution that was slightly under 50 percent to Manitoba Minerals and slightly over for the Granges group. The present distribution is Hudson Bay Mining & Smelting which will be the operating company at 44 percent, the Granges Group which prior to this held roughly the same margin difference at 29 and the Manitoba Minerals at 27 percent, Mr. Speaker. The total involvement in the project will be 28 million for the development of the mine and that will be financed entirely by the Hudson Bay Mining & Smelting sector of the joint venture.

MR. PAWLEY: Mr. Speaker, in view of the earlier position undertaken by the Minister of Finance in 1970 when he indicated that after a critical period it would be the intention of his party to turn back such an interest, to turn back such an interest after an appropriate spawning period, is it the intention of the Minister of Finance, on behalf of the government, to turn back their interest after the mine has in fact got underway.

MR. CRAIK: Mr. Speaker, the government has demonstrated its interest in retaining more feasible an interest in the natural resource development project, Mr. Speaker, on a voluntarily basis. And if the Leader of the Opposition would like a further demonstration of it, I think there are some 12 other joint exploration ventures now being undertaken on a voluntary basis with Manitoba Minerals. It will be the full intent of the Manitoba government to retain its interest in this project. I suppose, like any other interest or any other equity interest, that it may hold; whether its in a Crown Corporation or in a mining operation through Manitoba Minerals, any government would want to retain its rights to do what it wanted to do, in whichever direction, with its shares. The intent of the government is to proceed with the 27 percent ownership in the joint venture, otherwise we would not have seen it negotiated that far.

MR. PAWLEY: Then further to the Minister of Finance, can the Minister of Finance now announce that his government has abandoned the old policy that was proclaimed repeatedly on the part of the present First Minister and on his part that they feared the dead hand of government; that they did not believe government had a place in the mining industry; and that in fact they have undertaken a turnabout in policy; and that in fact the reference in the statement to favourable climate having been created that in fact the favourable climate that was created to make possible the announcement that the Minister made this morning was due to the work of the government in ensuring that there was a joint venture participation in the Flin Flon Mine back in 1975-76. Without that climate the Minister's announcement would not have been possible this morning.

MR. SPEAKER: Order please. We're now under the question period.

The Honourable First Minister.

HON. STERLING R. LYON, Premier (Charleswood): Mr. Speaker, I believe there was a

portion of that diatribe directed to me and I'll be happy to attempt to respond to it.

Mr. Speaker, there's been no change in the attitude of the government of Manitoba with respect with respect to serving the public interest of the people of Manitoba. —(Interjection)— As I attempted to point out, Mr. Speaker, to my honourable friend the Leader of the Opposition the other day when we were discussing a potash mine, we are not . . .

MR. SPEAKER: Order please, order please. I would hope that all members would give the courtesy to the person who has the floor so that they can respond to the question that was asked of them.

The Honourable First Minister.

MR. LYON: The difference, Mr. Speaker, which may be lost on my honourable friends and I hope it isn't, is this: That we are not motivated on this side of the House by a 19th Century ideology, which suggests that the only way that society can operate is if the government owns and operates all of the means of production. That's what motivates my honourable friends opposite. Mr. Speaker, it does not motivate and will never motivate this government. If my honourable friend, Mr. Speaker, wants to have fun referring to us as being socialists, that's fine. Actually, I think if he did that outside of the House it might be libelous. But in any case, Mr. Speaker, all I can say is this: That we will continue in this government to do those things on behalf of the public interest of the people of Manitoba that we deem to be in the public interest. This is certainly in the public interest.

I may say to my honourable friend, the Member for Inkster, who questioned or from his seat was questioning this earlier, that he is well aware, Mr. Speaker, that the investigation of this property started long before the Manitoba government was interested in it as a partner.

A MEMBER: That's not true.

MR. LYON: Yes, it is true, Mr. Speaker.

MR. LYON: Mr. Speaker, the difference, if I can make the point clearly to my honourable friend so that he will understand it, make the comparison between this potential mine — it's still not a mine; we hope it will be — 28 million of investment, not out of the public purse, will be going into this development, Mr. Speaker; contrast that with my honourable friends opposite putting 40 million out of the public purse into what? Into an aircraft plant that went belly-up.

Now, Mr. Speaker, if my honourable friends miss the analogy on the question of ideology, I'm sure the people of Manitoba don't miss the analogy when we say that there is not going to be taxpayers' money involved in the development of this mine. There will not be any 40 million of taxpayers' money go belly-up, as it did with most of my honourable friends' ventures.

MR. PAWLEY: In view of the comments by the First Minister, who made reference to us as socialist dogs last week, it's rather interesting to hear comments from the pup, Mr. Speaker.

The question to the First Minister, since he's entered into the question and answer period, is it not so that the authority by which the government of Manitoba has been able to enjoy a 27 percent interest, is a direct result of activity which was undertaken in passing the legislation which provided for involvement and participation by the province of Manitoba; legislation which was fought against and voted against unanimously, unanimously by those who now sit, those who now sit on the government side of this Chamber.

MR. SPEAKER: The Honourable First Minister.

MR. LYON: I'm sorry, Mr. Speaker, I didn't catch all of what I presume my honourable friend was trying to make a question out of. All I can say to my honourable friend, Mr. Speaker, in answer to whatever was circulating in his mind at the time is this; that we believe in this province, as in all other provinces except those unfortunate enough to have socialist governments, and there is only one of them, Mr. Speaker, that the voluntary arrangement with mineral exploration companies is the best, and we've said that time and again. If my honourable friend will look at the degree of mining exploration and the degree of mining development going on in Manitoba today, as contrasted when he and his colleagues were in office, then he will find sufficient answer for the question of man alone.

MR. SPEAKER: The Honourable Member for Inkster.

MR. SIDNEY GREEN: Mr. Speaker, I'd like to direct a question to comrade tovarish, the commissar of Finance, Mr. Speaker. In view of the fact that the Hudson Bay Mining and Smelting Company, of which I am a shareholder and who's directors looked after me much better than the directors of the province of Manitoba look after the citizens of this province; in view of the fact that they are paying 28 million in development costs to gain the equivalent of 27 percent and 29 percent of the other two partners, may we correctly assume from a financial point of view, that the share of Granges is worth 28 million — excuse me, they get 44 percent which is almost half — may we then assume that the shares of the Manitoba Mineral Resources and Granges Exploration are in the neighbourhood of 20 million each, that that is the value of the shares in this operation that was produced by the people of Manitoba through their mineral exploration program.

MR. SPEAKER: The Honourable Minister of Mines.

MR. CRAIK: Mr. Speaker, the Member for Inkster has some grounds in doing that kind of arithmetic but the value of the shares will be the value best determined by the return from the mine. The price to Hudson Bay Mining and Smelting to become involved in it, in the joint venture, is the capital required that's estimated to bring the mine into development. At the point that the mine comes into development, and shortly thereafter, it will be possible to determine what the real values are of any shares. But if the member wants to make that kind of speculation then I suspect the member's right —

from his seat he says that's what Hudson Bay has done — I suspect that probably is the case, Mr. Speaker. And if he wishes to make that kind of calculation then there's reasonable grounds on which to make it.

But it isn't strictly, Mr. Speaker, as the member is portraying it. It's a joint venture where 44 percent interest in the property and the potential mine has been granted to the Hudson Bay Mining and Smelting at an investment or an involvement of 28 million, which is the intended amount to bring the mine into production. If it exceeds, Mr. Speaker, the 28 million, my understanding is that the added amounts of capital would be shared on the pro rata basis as apportioned by the venture share as indicated here. The best test will, of course, be the return that occurs after the mine comes into production.

MR. GREEN: Mr. Speaker, since I won't ask any more questions of people who have the business sense to say that my directors of Hudson Bay Mining and Smelting Corporation are paying 28 million for nothing, which is the position of the First Minister, I will turn to the commissar of Northern Affairs, Mr. Speaker, and ask the commissar whether or not is the fact . . .

MR. SPEAKER: Order. Order please. One of the problems we have in this Legislature is some of the terminology that is being used. I would hope that a member correctly addresses another member, either by his constituency or by the jurisdiction that he is in charge of.

MR. GREEN: I appreciate your remarks, Mr. Speaker. I thought that the Ministers now consider what I have said to be appropriate because I've never heard a complaint. But if you are complaining on their behalf, Mr. Speaker, and they don't wish to be addressed in that way, then I address a question to the Minister of Northern Affairs. Mr. Speaker, I'd like to ask the Minister whether the person, Richard August Andrs, who he appointed to administer the Local Government District of Alexander and who was instrumental in usurping the position of the legally elected council, whether that is the same person that the Local Government District of Alexander, by majority vote some two years ago, voted to remove as Local Government District Administrator? Excuse me, what is tantamount to the Secretary-Treasurer of the group. And that the government of Manitoba told them that they couldn't remove him unless they bought his house, for which he was asking 110,000 and which was subsequently valued by Land Evaluation at 65,000 to 67,000; and who also imposed conditions which made it impossible for the Local Government District to financially have him removed, which they asked to have done; whether that is the same person that the Minister has now appointed, knowing that person went around and procured the resignations of members of that council.

MR. SPEAKER: The Honourable Minister of Northern Affairs.

MR. GOURLAY: Thank you, Mr. Speaker. The situation that the Honourable Member for Inkster relates here now, obviously happened before I became involved with the Department of Municipal Affairs, however, I would suspect it is the same individual. Further to the member's question, I'd like to advise the House that at the request of the administrator, the administrator has requested to be temporarily relieved of his position. I concur with this situation; I appreciate the fact that the Honourable Member for Inkster brought forward some information yesterday that I was not previously aware of, nor were my senior staff members aware of. I appreciate the fact that this was brought to my attention. I would like to further clarify the situation at Alexander by stating that I will be appointing another administrator with considerable experience that has not had any connection with the situation at the LGD of Alexander and has not been in any way involved with the problems that were identified in the House yesterday by other members that were speaking on a grievance resolution.

I would also like to clarify the situation with respect to why the remaining councillors were, in fact, temporarily suspended, and this was because there was no quorum. I indeed inadvertently misled the House by involving the accusations and allegations. I apologize to the House. They came in at about the same time and, as a matter of fact, my department is conducting investigations into the allegations because, as I mentioned yesterday, the situation with respect to LGDs is somewhat different than it is with rural municipalities in that I have direct responsibilities to the LGDs; in fact, that we do issue cheques paying for some of the affairs that go on in the LGD with respect to road maintenance and so forth. So I feel that I have to continue for a few more days with that investigation and I'd like to also advise the House that I hope to be able to report in the new few days that the matter will be corrected and that the by-elections can be called.

MR. GREEN: Mr. Speaker, I want to thank the Honourable Minister for advising us that action is now being taken. I also want to ask the Minister, who had indicated that he is correcting a misstatement which he inadvertently made to the House and apologizes to the House, can that apology be extended to two citizens of Manitoba who accepted elected office and who have been made to appear to have been suspended on the basis of allegations which had nothing to do whatsoever with the suspensions? Could he do that and could he also announce, Mr. Speaker, that there will be early elections in the area so that the Local Government District can be then readministered by the elected representatives, rather than by a functioner?

MR. GOURLAY: Thank you, Mr. Speaker. Yes, I'd be pleased to communicate any misunderstandings that I may have created in the House and reflected some bad will towards those two council members.

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

MR. SAMUEL USKIW: Mr. Speaker, I wish to thank the Minister for giving the matter the kind of

consideration that he did give over the night and this morning. I would ask him one further question and that is, whether he is prepared to reinstate those who have been suspended once there is a position for a quorum; once the elections have been held to fill the vacancies?

MR. GOURLAY: Thank you, Mr. Speaker. I think that it's probably a legal question; I'd like to take that under advisement.

MR. SPEAKER: The Honourable Member for Fort Rouge.

MRS. JUNE WESTBURY: Thank you, Mr. Speaker. My question is addressed to the Minister of Economic Development or whoever is answering for him in the House. In view of the study being conducted by a committee of Winnipeg City Council into electrification of the transit system, and in view of the fact that Flyer Industries is known to have the capacity to manufacture electric buses, has the Minister taken any steps to give highest priority to the development of this potential new market for Flyer Industries?

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

HON. ROBERT (Bob) BANMAN (La Verendrye): Mr. Speaker, I am the backup Minister for the Minister of Economic Development but I think it's got basically to do with an area of responsibility that I am charged with and that is, namely, Flyer Industries. Flyer Industries has been involved in making trolley buses, not only for the U.S. market but is also exploring new markets within the provinces throughout Canada and I can assure the member that we are actively involved in the trolley bus manufacturing business and that we are exploring different marketing areas and different marketing techniques with regard to that aspect.

MRS. WESTBURY: I thank the Minister for his reply, and apologize for addressing the question to the wrong Minister. I wonder if the Minister would consider having some employee of Flyer Industries, or some employee of his department, working full-time in developing the potential market in a more aggressive way. It seems that a lot of people in the city are not aware that Flyer is in the business of manufacturing trolley buses for export to the United States. Perhaps the Minister might consider that a more aggressive approach could be taken to this potential in popular market.

MR. BANMAN: Mr. Speaker, as the member is probably aware the market for urban transit buses is quite a lucrative market at this time with regard to orders. One of the problems we've had out at Flyer is that we can receive the orders but we have difficulty making money on some of the orders because of some production, streamlining and administrative problems that we have out there. One of the problems that we have, Mr. Speaker, is the problem that our order books are full now for about a year. We have no shortage of orders; we are looking at some trolley buses right now, I

understand, in the Canadian market. There are some cities, such as Edmonton, some in Vancouver, that do use the trolley system but right now I would suggest to the member that if we would aggressively try and get some new orders we would be in even bigger problems than we are right now. The order book is full and we will be hard-pressed to fill the orders that we have right now in the next year-and-a-half.

MRS. WESTBURY: Mr. Speaker, in view of the fact that so many of our people, our trades people and professional people, are leaving our province and graduates are leaving our province in search of employment, would the Minister not consider that this was a satisfactory way to create new employment for these people and to expand the Flyer Industries production so that they can meet the demands?

MR. BANMAN: Mr. Speaker, this is precisely the problem that Flyer has had a number of years running and the previous Minister in charge of Flyer, the Member for Inkster, faced the same problem that I do right now. It looked like last June that Flyer would not have any orders at all, and as a result, we cost-priced our buses out on an average production of 350 buses a year; we only produced something like 170, which means that we will this year sustain a substantial loss. The only way in order to try and make that company a viable company and keep it going here in Manitoba will be to try and get a consistent production and market developed. I don't think the answer to our problem is to produce 150 buses one year and then try and bring it up to 600. It's not like turning a tap on and off, you can't do that; there's production assembly people and all kinds of engineering and stock control that has to go into that particular process. We will try and turn the company around, and try and make a certain number of buses that we can comfortably handle at that plant.

MR. SPEAKER: The Honourable Member for Wellington.

MR. BRIAN CORRIN: Thank you, Mr. Speaker. Mr. Speaker, I am not sure whether my question should be addressed to the Minister of Consumer Affairs, the Minister of Housing or the Minister responsible for the area of Community Services; I'm sure that the appropriate Minister will rise in his place and respond. My question is with respect to the report in today's Winnipeg Free Press about the eviction of some 84 tenants from a block on Vaughan Street in downtown Winnipeg. I was wondering whether some or all of the Ministers are making efforts to assist the people in question and I wonder what efforts are being made in this regard to relocate them and provide emergency housing for them.

MR. SPEAKER: The Honourable Minister of Economic Development.

HON. J. FRANK JOHNSTON (Sturgeon Creek): Mr. Speaker, this morning the Chairman of the Board of the Manitoba Housing & Renewal Corporation instructed Mr. Dubowits, the Secretary of the Board,

to contact Mr. Garry Charles, who is the Manager of the Winnipeg Regional Housing Authority, to make contact with the powers that be or the people involved in this particular situation in Winnipeg, and we are expecting to hear from Mr. Charles later on today or tomorrow morning as to what help the Manitoba Housing & Renewal Corporation can be, as far as relocating some of these people when the time comes.

MR. CORRIN: In this respect, Mr. Speaker, I address my question to all three Ministers again. Can we have some assurance that none of these tenants, and of course, particularly, Mr. Speaker, in view of the fact that some of them are very elderly and infirm, can we have an assurance from the government side that immediate efforts will be made to house all those people before night falls? I understand from the report that some of them have their furnishings on the sidewalk in front of the block and I'm not sure whether or not — this is from reading the report — all of them have found alternative accommodation.

MR. JOHNSTON: Well, Mr. Speaker, the assurance the honourable member is asking for is being worked on at the present time and also we will be working with the City Welfare Department, who will be the first line in this operation, and the Housing Corporation; I'm sure the Minister of Health will be working with City Department, as well, for those people that have problems by being infirm. We are working on the problem, Mr. Speaker.

MR. SPEAKER: The Honourable Member for The Pas.

MR. RONALD McBRYDE: Mr. Speaker, my question is to the Minister of Northern Affairs. I'd like to ask the Minister if he inadvertently misled the House when he said that the guidelines the northern communities are complaining about are too restrictive in terms of their responsibility; when he said that the guidelines only applied to a few communities, especially in the case of a 250 limit in terms of purchases.

MR. SPEAKER: The Honourable Minister of Northern Affairs.

MR. GOURLAY: Thank you, Mr. Speaker. The situation with respect to the self-administrating councils is at their request and then there's the ones that are done in trust with the Department of Northern Affairs. The 250 spending limit applies to all the communities but it only relates to capital purchases. It doesn't relate to other current bills such as hydro, or other local bills. The restriction is only on capital items and it involves all communities.

MR. McBRYDE: Mr. Speaker, so the 250 limit applies equally to all the councils. I wonder if the Minister will consider his remarks of yesterday; if he will consider apologizing to the elected officials in the Northern Affairs Communities, since he blamed them for problems that were caused by civil servants within the department.

MR. GOURLAY: Thank you, Mr. Speaker. Actually, if the Member for The Pas was listening, I was directing my remarks at his administration back a few years ago and in no way was it reflecting the incompetence of the local community councils.

MR. McBRYDE: Mr. Speaker, I ask the Minister if what he said yesterday was not that he had to put these restrictions on community councils because of their inability to manage their funds, which is what he said yesterday in this House, Mr. Speaker, with all of us as witnesses.

Mr. Speaker, I would like to ask the Minister, in regard to further statements he made yesterday, whether or not he could confirm that in October 1977 the water systems installed were all in proper working order except for one and that the problem that has been experienced with water systems has occurred since his government was elected to office and has occurred because they have failed to do proper follow-up maintenance and they have failed to train community operators effectively to handle those systems. Can the Minister confirm that?

MR. GOURLAY: Thank you, Mr. Speaker. First of all, I didn't make those comments in the House yesterday; I don't think I was called on a question with respect to this item.

The statement you make regarding the water systems as of October 19th, 1977; that was before I became involved in this department. I have been advised by my staff that when we became the government of the day, that some three systems out of 19 were the only ones working; there were some 16 that had some problems with them.

MR. SPEAKER: The Honourable Minister of Consumer Affairs.

HON. WARNER H. JORGENSEN (Morris): Mr. Speaker, I should like to respond to a question that was posed to me the other day by the Member for Rossmere, having to do with bankruptcies and the Home Warranty Program.

I want to advise the honourable member that the program he speaks of is the Builders New Home Certification Program of Manitoba and I want to tell him the builder, by virtue of being a member of this program, is responsible for repairing defects in the workmanship and the construction, and to repair or replace defective materials and appliances supplied by the builder where such defects manifest themselves within the first year of occupancy. After the first year of occupancy, the program itself will repair any major structural defects which become manifest during those next four years. I have a copy of that program which I will be happy to send my honourable friend if he would like to have it, Mr. Speaker.

MR. SPEAKER: The Honourable Member for Rossmere.

MR. VIC SCHROEDER: Thank you, Mr. Speaker. I thank the Minister for that information and would ask him whether the last four years of the five-year program is one which is administered through an insurance company or whether this is simply a trust

fund; the point being that if it is only a trust fund would there be enough money in that program, in view of the fact that a number of builders are now not in the market?

MR. SPEAKER: The Honourable Minister of Consumer Affairs.

MR. JORGENSEN: Mr. Speaker, the program is administered through an insurance company and the insurers, in this particular instance, are Johnston & Higgins.

MR. SCHROEDER: Thank you, Mr. Speaker, a further supplementary. Is there any provision being made to assist those homeowners who have purchased a home from one of these bankrupt builders within the past 12 months and who are at this point in time not covered by the insurance program but rather must be hoping to get some assistance from the other program, which is merely a structural program? The first year, I understand, is one which is more than structural, it's cosmetic as well. Could he advise as to whether there will be any way in which those people who are in that first year will be protected?

MR. JORGENSEN: Yes, Mr. Speaker. My understanding is that they are protected in the event of a bankruptcy of this nature, by the program itself.

MR. SPEAKER: The Honourable Member for The Pas.

MR. McBRYDE: Mr. Speaker, further questions to the Minister of Northern Affairs. Mr. Speaker, I wonder if the Minister could now clarify for me his allegations in terms of water systems, because he is quoted in the paper as saying that at this time only three of 18 water systems were working, and today he said in 1977 only three out of 18 water systems were working. Mr. Speaker, I wonder, for him to avoid further embarrassment in this House, if he could double-check his facts and confirm that in 1977 it was not the case, as he has stated it was.

MR. SPEAKER: The Honourable Minister of Northern Affairs.

MR. GOURLAY: Thank you, Mr. Speaker. Yes, I would like to clarify the situation and say most of the waterworks were not operating when we took over as government.

MR. SPEAKER: The Honourable Member for The Pas.

Order, order please. I hope all members extend some courtesy to members who are trying to ask questions.

The Honourable Member for The Pas.

MR. McBRYDE: Yes, Mr. Speaker. The Minister is just incorrect in his statement, Mr. Speaker. My question then to the Minister, if he would care to correct the statement he made in regard to the Cormorant water system which was installed under the supervision of his department and which the Minister when answering my previous questions indicated it was the community council's fault that

the water system is inoperable; I wonder if the Minister could now confirm that his department was supervising that job, using funds provided by CMHC.

MR. GOURLAY: Thank you, Mr. Speaker, the contract was with the community council and the CMHC.

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

MR. McBRYDE: Mr. Speaker, the contract was with the CMHC, administered by the Department of Northern Affairs and supervised by the Department of Northern Affairs, and funded through a trust account within the Department of Northern Affairs.

Mr. Speaker, my next question is to the Minister of Mines and I would like to thank the Minister for his announcement that shows the present government willing to follow wise courses of action of the previous administration, and I would like to ask the Minister when the ore body will be developed; what date he perceives the beginning of development of the ore body that was discovered because the people of Manitoba were involved in the discovery of that ore body.

MR. SPEAKER: Order please. The time for question period having expired, proceed with Orders of the Day.

The Honourable Government House Leader.

MR. MERCIER: Mr. Speaker, would you call the Adjourned Debates on Second Reading?

ADJOURNED DEBATES ON SECOND READING

BILL NO. 2 — AN ACT RESPECTING THE OPERATION OF SECTION 23 OF THE MANITOBA ACT IN REGARD TO STATUTES

MR. SPEAKER: Adjourned Debate on Second Reading, Bill No. 2, An Act respecting the operation of section 23 of The Manitoba Act in regard to Statutes, standing in the name of the Honourable Member for Gladstone.

MR. JAMES R. FERGUSON: Thank you, Mr. Speaker, I adjourned this for the Honourable Member for Radisson.

MR. SPEAKER: The Honourable Member for Radisson.

MR. KOVNATS: Thank you, Mr. Speaker. I'm very pleased that I was able to be recognized sans moustache. Ce jour, je donne mon discours en français et après je donnerai mon discours en anglais. Mr. Speaker, I do have problems with some of the words in French, the double ss that are pronounced as a s and the single ss that are pronounced as zs but I will do my best to read what I have prepared in French and after I will give my speech in English.

I need complete attention: c'est très difficile.

Je suis heureux, M. l'orateur, en participant à ce débat, de me servir de la belle langue de Molière qui a sa place d'honneur dans cette enceinte. Les membres de cette Assemblée savent les efforts que j'ai fait depuis quelques années pour la maîtriser et, même si je lui fais parfois injure, je me flatte des progrès que j'ai réalisés. Je voudrais ajouter au bénéfice de mes collègues que l'apprentissage d'une langue aussi belle et aussi riche que la langue française est pour moi difficile, bien sûr, mais que j'y trouve une source d'enrichissement personnel extraordinaire, tant par la découverte littéraire que j'ai fait que par la capacité d'apprécier les excellents programmes de la télévision française à Winnipeg et aussi du dialogue que j'essaie d'engager avec mes amis d'expression française dont je suis fier d'en compter plusieurs.

C'est avec un certain chagrin aussi, M. l'orateur, que je dois, en participant à ce débat, m'inscrire en faux contre la position prise par la Société Franco-manitobaine dans la question du référendum Québécois. Jusqu'à un certain point, je puis comprendre le cri de panique, d'impatience de frustration, l'appel au secours de noyé que représente les déclarations de la présidente de la Société Franco-manitobaine. Je suis convaincu . . .

MR. SPEAKER: Order, order, please.

The Honourable member for Logan, on a point of order.

MR. WILLIAM JENKINS (Logan): Mr. Speaker, I was just sitting down. It wasn't me that called order, I can assure you.

MR. DESJARDINS: Mr. Speaker, I called order. Some of us would like to listen to a friend who is doing his best to . . .

MR. SPEAKER: The Honourable member for Radisson.

MR. KOVNATS: Merci beaucoup. Je suis convaincu, néanmoins, qu'en prenant une telle décision la Société a commis une erreur grave et fondamentale, et je suis convaincu aussi qu'en cela elle ne représente pas et ne parle pas au nom des citoyens d'expression française de cette province. Je me pose de sérieuses questions, par ailleurs, sur la représentativité de cet organisme dont les bases ne semblent pas assis très solidement dans la population et dont le financement parvient à peu près exclusivement du gouvernement fédéral. C'est pourquoi je questionne le mandat d'un organisme dont le pouvoir vient d'en haut plutôt que de la base.

Mais je m'empresse d'ajouter, M. l'orateur, que même si j'exprime de tels doutes et si je m'oppose fortement à la stratégie de cet organisme, mes sentiments d'amitié, de respect et de soutien pour les Manitobains d'expression française n'en sont pas changés pour autant, et c'est pourquoi je ne voudrais pas que le gouvernement du Manitoba tourne le dos à la communauté francophone et lui ferme ses portes. Bien au contraire, j'encourage les Franco-Manitobains à continuer leur lutte et leur excellent travail pour conserver et faire épanouir leur langue et leur culture. Mais ils doivent le faire de façon intelligente en adoptant des stratégies

efficaces qui tiennent compte de la réalité sociale, politique et démographique dans laquelle ils vivent.

En se prononçant pour le oui au référendum Québécois, la Société Franco-manitobaine s'est lancée à la Conquichotte dans une chevauchée non seulement suicidaire pour ceux qu'elle dit représenter, mais qui les rend complices d'un parti politique dont l'objectif est la rupture du Canada. La présidente de la Société Franco-manitobaine insiste qu'elle n'est pas séparatiste et qu'elle ne veut que la négociation pour l'amélioration de la Constitution canadienne. Cela, nous le voulons tous, et les premiers ministres des provinces de l'Ouest l'ont répété à Lethbridge cette semaine. Mais ce que nous devons refuser de négocier avec le parti québécois c'est la souveraineté du Québec. La Société Franco-manitobaine ne semble pas se rendre compte que la question référendaire ne demande pas seulement de négocier, mais qu'elle demande de négocier la souveraineté du Québec et, à cela, nous devons tous, y inclus mes compatriotes francophones, nous opposer avec conviction. Je suis convaincu, M. l'orateur, que c'est à l'intérieur de la Confédération canadienne que la langue et la culture française sont les mieux protégées, surtout dans des provinces où ils sont en minorité, et je suis convaincu aussi que si le parti québécois atteint son objectif, la langue et la culture françaises seront les premières victimes de ce qui en résultera. Et cela, M. l'orateur ne sera pas dû à un durcissement de l'attitude des anglophones du Canada ou aux prises de mesures persécutrices par les gouvernements provinciaux, mais ce sera dû au fait que cette merveilleuse langue et cette belle culture ne seront plus soutenues par la force de la constitution qui leur offre certaines garanties, et par un gouvernement central qui est en mesure de leur donner des services essentiels, comme les services français de Radio Canada.

C'est avec beaucoup d'amertume aussi, M. l'orateur, que j'entends souvent dire que la question référendaire ne concerne que les Québécois. À mon avis, le grand débat au Québec porte sur l'avenir, non pas seulement du Québec et des Québécois, mais il porte aussi sur l'avenir de tout ce grand pays que nous appelons le Canada. J'ai souvent l'impression que les Québécois, et peut-être aussi les dirigeants actuels de la Société Franco-manitobaine, s'imaginent que les Canadiens d'expression anglaise sont indifférents quant à l'avenir de leur pays, que leur seule préoccupation est le bien-être matériel et qu'ils n'ont pas de culture bien à eux, ni d'attachements profonds à l'entité du Canada que nous connaissons actuellement. À cela je leur dis qu'ils font une erreur fondamentale. L'intégrité du territoire canadien est à la fois juridique et politique, et quand on parle de l'attaquer, on s'attaque au fond de la politique canadienne et au cœur même de notre identité de Canadiens. Et je dis à tous ceux qui croient que nous suivons d'un œil détaché ce qui se passe actuellement dans le grand débat canadien, et qui s'imaginent que nous laisserons avec détachement notre merveilleux pays être fractionné, qu'ils se trompent monumentalement et gravement. Le symbole canadien repose en grande partie dans le maintien de l'ordre et de la revendication par le gouvernement central du Canada de la souveraineté et de l'intégrité territoriales du Canada. Cette

intégrité d'un littoral à l'autre est d'ordre politique, juridique et social, et malgré une apparente indifférence de la plupart d'entre nous, c'est à leur péril que ceux qui veulent s'y attaquer le feraient.

M. l'orateur, je suis actif et associé depuis cinquante ans dans la communauté manitobaine et la communauté francophone manitobaine. Comme je le disais plus haut, malgré une erreur grave de parcours des présumés leaders de la communauté francophone, je n'ai pas l'intention de leur tourner le dos, et j'encourage mon gouvernement et tous les membres de cette chambre d'adopter une attitude ouverte et généreuse envers tous les membres de cette communauté. L'histoire jugera les gouvernements, et celui-ci comme les autres, non pas seulement en fonction du bon ou du mauvais gouvernement qui aura été fourni à la population toute entière, mais surtout en fonction du traitement qui aura été accordé aux minorités.

C'est tout en français. Je parle en anglais maintenant.

Mr. Speaker, I apologize if I was mispronouncing any of the words. I have typed it out so that when I turn it over to Hansard it should come out properly.

As I participate in this debate, Mr. Speaker, I was happy to do so in the beautiful language of Molière, which has a place of honour in this arena. The members of this Assembly know of my efforts during the last few words to learn the French language and even if my use of it is far from adequate, I flattered myself for having achieved a small degree of proficiency. I would like to add for the benefit of my colleagues, that learning as beautiful and as rich a language as the French language has been difficult, of course, but that I have also found it to be an extraordinary source of personal enrichment both through the discovery of its literature as well as to my capacity for enjoying the excellent programs on French television and as well as for the dialogue I am able to have with my many friends of French extraction.

It is not without a certain degree of pain, Mr. Speaker, that I must, as I participate in this debate, stand against the position taken by the Société Franco-Manitobaine on the question of the Quebec referendum. In a way I can understand the panic and the impatience and the frustration, the call for help from the drowning man, which the declarations of the president of the Société Franco-Manitobaine represent. I am convinced, however, that in taking such a position, the Société has committed a grave and fundamental error and I am also convinced that in so doing it does not represent nor does it speak for Franco-Manitobans.

I further question the representivity of this organization which does not seem to have a solid foundation in the population and the financing of which is provided for almost exclusively by the federal government. I therefore have doubt about the mandate of an organization, the power of which is derived from above rather than from the base.

I hasten to add, Mr. Speaker, that even if I am strongly opposed to the strategy of that organization, my feeling of friendship or respect and support for the Manitoban of French extraction are not changed and that is why I would not wish the government of Manitoba to turn its back on the French community and to close its doors to it. Very much to the

contrary, I encourage Franco-Manitobans to continue their struggle and their excellent work to conserve and to develop their language and culture, but they must do so in an intelligent way by adopting effective strategies that are in line with the social, political, demographic reality in which they live.

By announcing its support for the 'yes' option in the Quebec referendum, the Societe Franco-Manitobaine has launched itself on a Don Quixote-type of direction which is not only suicidal for those it purports to speak for but also which makes them accomplices of a political party, the objective of which is to rupture Canada. The president of the Societe Franco-Manitobaine insists that she is not a separatist and that all she wants is that there be negotiations to improve the Canadian Constitution. That, Mr. Speaker, is what all Canadians want, and the premiers of the four western provinces have reiterated that in Lethbridge this past week; but what we must all refused to negotiate with the Quebecois is the sovereignty of Quebec. The Societe Franco-Manitobaine does not seem to understand that the referendum question requests, not only that there be negotiations, but that the negotiations be on the sovereignty of Quebec, and that we must all oppose with conviction, our Francophone compatriots included.

I am convinced, Mr. Speaker, that it is within the Canadian Confederation that the French language and culture are best protected, particularly in those provinces where they are in a minority situation; and I am convinced also, that if the Party Quebecois achieve its objectives the French language and culture will be the first victims of the fallout. And that, Mr. Speaker, will not be due to the hardening of attitude in English Canada or to the persecution by provincial governments, but it would rather be due to the fact that this marvelous language and this beautiful culture will no more be sustained by the power of the constitution which offers many guarantees, and by the Canadian government, which is able to provide many essential services such as the French network of the CBC.

Furthermore, it is with a great deal of sorrow that I often hear people say that the referendum question concerns only the Quebecois. In my opinion, this great debate has to do with the future, not only of Quebec and its citizens, but also with the future of this great country that we call Canada. I often have the impression that the people of Quebec, and to a certain degree the present leaders of the Societe Franco-Manitobaine, think that English-speaking Canadians are indifferent to the future of their country; that their sole preoccupation is their material welfare; and that they have no authentic culture or profound attachment to the Canadian entity as we now know it. And that I proclaim is a fundamental error. The integrity of the Canadian territory is both judicial and political and when one suggests that it be changed I consider this to be an attack to the political essence of Canada and to the very heart of our identity as Canadians. I also say to those who believe that we are indifferent to the present great Canadian debate and who think that we will allow our marvelous country to be fractioned, that they are making a monumental miscalculation. The Canadian symbol rests in great part in the maintenance of the order and of the claim by the

central government of Canada to the sovereignty and to the territorial integrity of the country. This coast-to-coast integrity is of the political, juridical, and social order, and even though many of us may appear indifferent, it is at their peril that those who want to attack it will want to do so.

Mr. Speaker, I have been active in and associated with the Manitoba community and the Francophone community for over fifty years. As I was saying above, although in my opinion the present leadership of the Franco community has made a grave error, I have no intention of turning my back to the population and I encourage this government and all members of this House to adopt an open and generous attitude toward the members of that community. History will judge governments, this one like all others, not only upon the extent to which it has provided good or bad government to the total population, but also upon the treatment it has accorded its minorities. There are many who say this bill is only tokened to satisfy a court judgement; there are many who say it will not create jobs for the French-speaking community; there are many who say it will not correct the past injustices that the French-speaking community has had to endure. That may be so, but this bill is one step forward in maintaining a unified Canada and we, as legislators, must pass this bill and be prepared after to take a second step and a third and a fourth. Without any reservation, I will be supporting this bill on behalf of myself, all Manitobans and all Canadians and, as a Canadian who loves all of Canada, I request Quebecers to reject separation and on May 20th to vote exactly what it says on the button, No, merci. Merci, Monsieur Speaker.

MR. SPEAKER: The Honourable Member for St. Boniface with a question?

MR. DESJARDINS: No, I'd like to take part in the debate.

MR. SPEAKER: The honourable member has spoken.

MR. DESJARDINS: Not on that one, have I?

MR. SPEAKER: Yes.

MR. DESJARDINS: That's right; I'm sorry, Mr. Speaker.

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

MR. J. WALLY McKENZIE: Mr. Speaker, I move, seconded by the Honourable Member for Emerson, that debate be adjourned.

MOTION presented and carried.

MR. SPEAKER: Bill No. 6, An Act to amend The Wills Act and The Mental Health Act, standing in the name of the Honourable Member for Logan.

The Honourable Member for Logan.

MR. JENKINS: Can I have that matter stand, Mr. Speaker?

MR. SPEAKER: Is that agreeable? (Agreed).

BILL NO. 16 — AN ACT TO AMEND THE VETERINARY SERVICES ACT

MR. SPEAKER: Bill No. 16, An Act to amend The Veterinary Services Act.

The Honourable Member for Logan.

MR. JENKINS: Mr. Speaker, I adjourned this debate on behalf of the Honourable Member for St. George.

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

MR. BILLIE URUSKI: Thank you, Mr. Speaker. I'll be quite brief with respect to this legislation in my remarks, the legislation dealing with The Veterinary Services Act.

The bill, as we perceive it on this side, Mr. Speaker, is one of a housekeeping nature, primarily changing some of the wording in the Act. There is basically no difference in change in philosophy or approach to the legislation. I understand the government wishes to provide more leeway for the local veterinary district boards in dealing with the veterinarians and dealing with the services that they provide to the residents of that district. So basically, Mr. Speaker, we have no great concerns with the legislation. We, of course, will be asking particular questions when this bill comes before committee.

I understand that in the legislation the bill allows for a cost-sharing between the . . . There's been some problems in the cost-sharing between municipalities, on the mill rate and the number of animal carcasses and the land assessment in that formula that is presently in effect. There is leeway brought in to take into account the differences that may occur.

As well, in terms of the funding of the veterinarian, I understand that there may be provisions to change the basic grant formula under this legislation, as it has been held fairly constant, I believe — since inception I believe — for a number of years and, Mr. Speaker, we certainly are in agreement with this, that the review should be made with respect to the structure on formula and that adequate veterinary services can be provided to rural Manitobans, as they have been carried on to date.

I hope, Mr. Speaker, that the government, in reviewing the formula when they will be dealing with this, that some of the areas that have had applications in, whether they be full veterinary districts or even satellite clinics, that those applications and considerations that have been put forward by those communities will be considered. All in all, Mr. Speaker, we are prepared to send this bill to committee and deal with it there.

MR. SPEAKER: Are you ready for the question?

The Honourable Member for Rock Lake.

MR. HENRY J. EINARSON: Well, Mr. Speaker, I understand the Minister will be in the House in a few moments. I'd just like to add a few comments to what the Member for St. George has said. I want to say that the veterinarians in many parts of the province have not been too happy in recent times because of the fact that the legislation that was first brought in and the grant formula that was established was in legislation and there was no way of increasing — and we all recognize that inflation has taken place — and in recent years it has not been adequate to take care of the problems that have existed insofar as the financing of our veterinary clinics are concerned.

So, Mr. Speaker, I want to say that I concur with the Minister of Agriculture in this bill that he has brought forward and if there are any veterinarians, or anybody else, municipalities, that have some things that they would like to question us on that matter, I'm sure that the Minister of Agriculture and those of us on this side and I'm sure members on that side will look forward to hearing comments from them as to whether or not the kind of amendments that we are bringing forth will be adequate to take care of the problems that have been existing in recent times. Thank you, Mr. Speaker.

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

MR. USKIW: Well, Mr. Speaker, I didn't intend to get into this debate at all but I'm surprised that the Member for Rock Lake has indicated that there was some real problems within the veterinary services industry in Manitoba. Perhaps before the Minister closes debate, it might be appropriate to make some small contribution to the debate and perhaps ask a few questions in the hope of deriving from the Minister, Mr. Speaker, some further information as to just what is occurring with respect to the program that now has been ongoing for some several years.

One of the things that I would like to know from the Minister when he closes debate, Mr. Speaker, is whether or not there are further sums of money allocated for the completion of the program so that all regions of the province would be serviced, and to what extent he feels that major adjustments have to be made in the program in order to update, upgrade, relative to current costs, relative to the past and expected service that the community — especially the rural community — may want.

I'm trying to recap in my own mind, Mr. Speaker, just how many veterinary service districts we have with hospital facilities, or clinical facilities. I know that the program, up to 1977, was not complete but the vast majority of the province was being looked after. I also recollect, Mr. Speaker, that there were a number of weak areas in the province where it was questionable as to whether we could establish full-time operations or whether we could sustain a veterinarian in those particular districts or regions. As I recall it, we were attempting at that time, Mr. Speaker, to provide a more modified program so that those regions would gradually grow into a full veterinary services program. That was through a system of subsidies and I believe, if I'm not mistaken, Mr. Speaker, there was an attempt made to provide some auxiliary veterinary service

personnel for some regions, sort of on a floating basis that would be moved from one region to another in order to establish an area. Just how that all has developed since '77 I am not sure, Mr. Speaker, but there was a lot of thought given to the need for that kind of development in order that we have completed, within reasonable time, the servicing of the whole province, Mr. Speaker.

You know, veterinarians historically have had a pretty rough time of it in Manitoba, and I'm sure in all of Canada, where they depended primarily on the rural practice. We were to the point in Manitoba several years ago where we had very few veterinarians willing to continue their practices or virtually none willing to set up new ones; that is the basis for the province getting so much involved through a fairly heavily subsidized program. I know that the Minister may have some comments of his own or some ideas of his own and that, hopefully, is based on the experience since 1977, since he had the responsibility and I recognize that, on the basis of experience, one has to be prepared to evolve within the programs that the department is in charge of and this is no exception. So that, whatever the problems are, hopefully the Minister is going to be able to deal with those through the changes in legislation and perhaps changes in policy from time to time, but it might be an opportunity for the Minister to fill us in, Mr. Speaker.

MR. SPEAKER: The Honourable Minister will be closing debate.

The Honourable Minister of Agriculture.

HON. JIM DOWNEY (Arthur): Mr. Speaker, in closing debate and referring Bill 16 to committee, the questions that the Honourable Member for Lac du Bonnet mentioned as far as the dollars and cents or the costs of the program and how the money is spent, I am sure he will agree could be more appropriately dealt with in the estimates. The specifics, as far as the dollars and cents in the bill are concerned, the main point that I want to point out is the fact that we are removing the 5,000 limit out of the Act so that the province can, in fact, by regulation, pay more towards the operating and the maintenance of the veterinary clinics. My comments, as far as the operation of the particular clinics, which are now throughout the province and I think there are approximately 30 now within the different veterinary districts of the province, we have had some concern in particular areas when it comes to the development of new ones where, in fact, in the best interests of those neighbouring facilities that to introduce a new one; whether in fact it would take from those that were now viable and servicing on the basis of what the member had mentioned, servicing through the introduction of a program of the veterinarian working out of an established one, servicing that particular area.

The importance of the veterinary clinics I think have been demonstrated. The fact that I know the program was just implemented prior to the New Democratic Party coming into office in 1970, that in 1969 the then Minister of Agriculture, Doug Watt, was the Minister who introduced the program and I want to say that I was pleased that the New Democratic Party carried forward with that program.

MR. SPEAKER: Order, order please.

The Honourable Member for Lac du Bonnet.

MR. USKIW: Mr. Speaker, I'm sure the Minister would not want to intentionally mislead the House. There was no program prior to 1969.

MR. DOWNEY: Mr. Speaker, I'm not trying to intentionally mislead the House. I'm just trying to put the facts on the record as they are and will continue to —(Interjection)— Well, I'm surprised, Mr. Speaker, that the members opposite are getting so upset because I was just about . . . —(Interjections)—

MR. SPEAKER: Order, order please. I would hope that all members extend courtesy to those that are speaking in this Chamber. They will have an opportunity to take part in debate at some future time.

The Honourable Minister of Agriculture.

MR. BLAKE: Mr. Speaker, on a point of privilege, I distinctly heard the Member for St. George say to the Minister of Agriculture, put the facts on the table or shut up. I don't think that's the kind of debate we want to introduce in the House.

MR. SPEAKER: The Honourable Minister of Agriculture.

MR. DOWNEY: Mr. Speaker, if I may, I was just going to compliment the previous administration on them proceeding with that program and implementing the veterinary clinics or building them throughout rural Manitoba; that it was a good program. They saw it as such and proceeded. But the facts I'm sure are available and I would be quite prepared to table all the documentation that is available on when the program was started, who initiated it, and at that particular time I would suggest it would be the courtesy that the Member for St. George maybe would be prepared to withdraw those particular accusations that he made when I do so. I think that it would be proper courtesy for him to do that. In speaking to the closing of the debate, Mr. Speaker, I think it's a matter of again assuring the livestock producers in the province that they do have in fact adequate veterinary service, and if I remember correctly, when the program was introduced, we were down to something like 30, 28 or so veterinarians that were throughout rural Manitoba which were expected to support the livestock industry. That has changed somewhat, Mr. Speaker, and I believe at this particular time we have in the neighbourhood of some 60 veterinarians who are now servicing rural Manitoba. The efforts that have been put forward by the department, particularly the director, who has been very committed to this particular program and has done a very commendable job.

I guess the other point that we would have to make is that in allowing the change in the amount of money going to the municipal districts, the initial intent as I understand it was in fact to provide 50 percent of the costs — that was not a written agreement I don't believe, but I believe it was an attempt that half the costs would be shared by the province — and with the inflation, the increasing

inflation factor, and the other increasing costs that the RMs have been facing or the rural municipalities have, in fact, they have now exceeded 50 percent of the cost by several hundreds of dollars and want to show the spirit of the government in being able to provide more funds or use them in a little different manner to support the policies that we, as a government, have.

I think, Mr. Speaker, the main items have been dealt with as far as the amendments in this bill. I want to say to all members of the House that I would appreciate their support; that we will be giving an opportunity in committee to have the RMs speak to the particular amendments or any other organizations that feel, or individuals that feel, so inclined to support it or to recommend or make amendments if they are not satisfied with what they see in the particular bill. So with those comments, Mr. Speaker, I would like to recommend this bill go to committee for further clarification and discussion, and I want to request the support of all members of the House on this particular bill.

QUESTION put, MOTION carried.

BILL NO. 27 — AN ACT TO AMEND THE LIQUOR CONTROL ACT

MR. SPEAKER: The Honourable Member for Logan.

MR. JENKINS: Thank you, Mr. Speaker, I adjourn this debate on behalf of the Honourable Member for St. Vital.

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

MR. D. JAMES WALDING: Thank you, Mr. Speaker. I had the opportunity to review the remarks made by the Attorney-General in introducing the bill and also an opportunity to look over the Act. I find the Act to be substantially as the Attorney-General describes it, in that there are two main matters of principle involved in the bill, and one or two other very small matters. The Minister did make the point in his remarks that one of the things that the bill did was to change the corporate structure of the Liquor Control Commission and set up a Chairman of the Board as distinct from a Chief Executive Officer, pointing out when he did so that this is a recommendation of the task force that was set up shortly after the government came into office. A policy, Mr. Speaker, that we understand is general government policy following remarks of other Ministers. It was a policy, as the Minister noted, that was recommended some two years ago, and we do notice a rather peculiar tardiness on the part of the government in putting this particular policy into effect. We note with Manitoba Hydro, for example, that a Chief Executive Officer has been named to the position, but since the last full-time chairman left about a year ago, Manitoba Hydro has been operating with an acting chairman who has other responsibilities as the Deputy Minister of Finance. We are still waiting for word from the government as to what it intends to do in this regard with the Manitoba Public Insurance Commission and

following questions to the Minister responsible for the Manitoba Telephone System, we notice a rather strange reluctance on the part of the government to act in that regard. Whether the government has someone in mind, as far as the Liquor Control Commission is concerned to take over this position, I suppose we shall find out after the bill goes through but we wonder, Mr. Speaker, whether this reluctance to name persons as chairman of the other Crown corporations has to do with some reluctance of qualified people to allow their name to stand in serving some of these other corporations. The question might be raised as to why the previous government persisted for so many years in having the Chairman of the Board as the Chief Executive Officer and I suspect that there was no ideological hangup involved there; it was simply a situation that we inherited. We found that it worked quite well with the personalities involved with the different chairmen and the different corporations, and that simply to save the cost of an extra salary the previous government continued the same policy. So we have no particular objection to the policy change.

The other policy issued involved in Bill 27 is a change in the preferred status, if I can call it that, of the type of liquor licence that is available to the Convention Centre and, as the Minister says, or theatres and I'm really not sure what or theatres means. I understand it does refer to the Manitoba Theatre Centre and possibly to the Concert Hall, although I'm not too sure on that particular point and maybe to certain other concert halls or theatres. Mr. Speaker, I have no objection to other artistic, theatrical, cultural or sports premises being treated any differently from the Convention Centre or the Theatre Centre or the Concert Hall. I have been to the Theatre Centre on a few occasions and find that at intermission time that the patrons can go out into the hall or the main foyer or neighbouring part of the building and can stand and enjoy the drink of their choice, talk to friends, consider the performance that they've seen, and it's a very civilized occupation. At the end of intermission the patrons go back into the auditorium and watch the performance and, Mr. Speaker, that seems to me a very reasonable sociable moderate form of behaviour. If that is the type of procedure that is perceived by the Minister in extending this licensing procedure to other buildings, other theatres, other sports facilities in the province, then I commend him for it. I don't believe that people in one part of the province should enjoy a particular form of licensing arrangement that is not available to people in another part of the province and I really don't know why the Convention Centre apparently enjoyed some superior form of licensing facility in the past if, in fact, it did.

The Minister says quite specifically that it is not the intent, under this licence, to sell liquor for consumption in the stands at sporting events. That would be a concern to us, Mr. Speaker, if that was what was being proposed. I understand my colleague also has a few comments to make in that regard. I understand that the bill will enable the Commission to issue a particular form of licence for various sporting and cultural events at other premises throughout the province and I would expect that the Commission would monitor these licenses very

carefully, at least in the beginning, to see that there was no abuse; and that the intent of issuing such licences would be to allow patrons at those events to socialize during an intermission in the same manner that patrons at the Theatre Centre do, and that this would be seen as a form of moderation, Mr. Speaker.

In looking back into Manitoba's history and speaking to people who have been here for many many years, there have been quite dramatic changes in Manitoba's liquor laws and also I believe the attitude of people toward drinking; there seems to be a growing feeling that liquor should be a part of a social event and not a social event of itself. Inasmuch as this particular change will tend to contribute to the moderate and sensible use of alcohol, I would support it, Mr. Speaker, with a proviso that the licences that will be issued will be monitored carefully by the Commission, and that the Minister will be able to assure us, perhaps in his estimates next year, that there has been no abuse of this particular provision.

MR. SPEAKER: The Honourable Member for Elmwood.

MR. RUSSELL DOERN: Mr. Speaker, I wanted to speak on some of the provisions in the bill, primarily section 125 (1) concerning special events licence; and I wanted to also draw on my own observations and experience in regard to the behaviour of people at some of these particular events and some of these places, Mr. Speaker. I suppose the one that I'm most familiar with is the Manitoba Theatre Centre and I think that if one looks at the practices and operations of the sale of liquor at, say, the Concert Hall and the Theatre Centre — the Concert Hall of course containing the Symphony and the Ballet and many other stars, Opera. I even went there a few weeks ago, Mr. Speaker, and saw three men imitating Elvis Presley. That was a different crowd, I'll tell you, most different of any crowd I ever saw there in my life. In fact, they had special signs put up which I never saw before in front of each entrance to the Concert area, saying, no food or drink allowed to be taken inside the hall, because I suppose some of these people might have brought a lunch or a drink along.

I think if you consider that the practice in those two locations, which is the cultural side of the sale of liquor, you find that liquor is sold only during intermissions; it's sold only outside the main arena, if I might use that word; and there has never, to the best of my knowledge, ever been any problems associated with those two facilities. Because people drink in a civilized manner; they either have a drink before or during the performance, some even stay later, although I don't think the liquor sales amount to very much after the performances, but essentially people have a drink during intermission. And there are also, of course, alternate forms of beverages available. There are certainly soft drinks available in both facilities and I know, in the case of the Theatre Centre, there is I believe, coffee for sale. I just want to say in passing, in regard to the Convention Centre, maybe it was justified they should have special privileges in view of the tourist and convention business at the Winnipeg Convention

Centre where a lot of people come from outside of Winnipeg and come often from areas that have more liberalized laws and customs than we do in Manitoba.

My concern about this bill, Mr. Speaker, is the fact that when we talk about the arena and the football stadium and we talk also about the boxing crowds in the Convention Centre, I think you're into a slightly different situation in regard to the cultural side. I'm not familiar with wrestling because I haven't seen any wrestlers for about 30-odd years when Dirty Dick Raines was fighting and Verne Gagne; now it's Verne Gagne's son or grandson, and all these masked maulers and super destroyers and so on, who are running around banging each others heads against these pillars every night and fighting six nights a week and showing no signs of any wear or tear. There must be something about that sport.

Mr. Speaker, you, as a staunch, well, I won't say athletic supporter, I'll just say athletic fan — I see I'm getting cautioned there by the Deputy Speaker, but it isn't Madame Speaker as in Ottawa, so I think it's correct for me to say Mr. Speaker, since he is now in fact fulfilling that role. So I'm just saying, as a fellow fan, you would be more familiar with the customs and practices and experience of the sale of beer, I suppose, at the arena and at the stadium. I would also include other events, for example, the track and field meets at the arena which I regularly attend, and there I have seen some things that I didn't like. Drinking has always been a problem to a certain extent in regard to football because there is a long tradition in football games and people sitting outside in October and November watching a football game. Everybody else is huddled in their house trying to keep warm and people are sitting outside with blankets and bottles and everything else trying to weather the wonderful Winnipeg winters. But there are two problems with selling liquor at sporting events, maybe there are more than that, but one problem is, when people walk around with liquor and carry it in their hands, there is always a danger that they will spill that liquor on somebody else as in bumping into somebody when you're walking down an aisle; or as in dropping it on somebody as you're walking down the aisle; or putting the beverages on the floor and kicking them over; or putting them on a railing. And I recall very clearly how angry I was, being at a track meet one time, when a couple of dimwits came in with beer, put the beer in front of them, on a concrete elevation in front of them; there were a whole series of seats, but in front of their particular row was this concrete thing and there were seats below; and then in the excitement of the moment they leaped up and knocked all this beer over, at least two, maybe three or four cupfuls of beer, splashed all over about eight people. I was sitting a little farther away, I wasn't one of the unfortunate victims, and you know, they didn't apologize, it was just the breaks of the game, it was just tough for these people. And these people were very well dressed and very well behaved, and they were just splattered with beer. That is something that has to be kept in mind. I think when people are at sporting events they tend to become excited and there's a natural excitement in the air and I don't know whether they need any artificial stimulation. Presumably they're going to that event because of

the thrill of sporting competition. —(Interjection)— My learned colleague says alcohol is a depressant and I have no answer for that but it unfortunately depresses sometimes the better parts of people and it sometimes impedes their judgement and that's why I am a very moderate drinker, Mr. Speaker.

The other thing though is, I give as an example to the Attorney-General, the boxing matches. Now, there is an interesting crowd for you. I am a life-long fight fan. Ever since I was a little boy I can remember listening, maybe at age eight, or nine, or ten, to Joe Louis fighting. I can remember him fighting Tammy Moriello and various people, Jersey Joe Walcott, when I was about 13, and so on and so on. —(Interjection)— No, Tony Galento is before my time. —(Interjection)— Pardon? Bum of the Month Club; that's true, we're still into that. Mr. Speaker, when I read that Mohammed Ali is getting 8 million to fight Larry Holmes, who is getting 4 million, who happens to be the champion, you have to wonder as to what value there is on certain occupations. —(Interjection)— Well, the Attorney-General says how is this relevant? I'm going to tell him how this is relevant. He's never been to a boxing match in the city of Winnipeg, has he? He doesn't go to these fights. I have been to a few.

MR. MERCIER: I come here.

MR. DOERN: This is the best in verbal fisticuffs; the best in verbal fisticuffs but not the best in man to man combat.

MR. SHERMAN: You have to be pretty good with fancy footwork too.

MR. DOERN: That's right. I'm going to duck that punch which was telegraphed. And I have been to a few of those fights and I want to tell you something, that the roughest toughest crowd in sports is the boxing crowd. I will not give you my full-flown description, which I normally give, of the calibre and character of them because there are some nice people who go to the fights. I mean there are some very respectable and intelligent people who go to the fights and I'm not saying there aren't people who do go, but I'm saying the toughest element in Winnipeg goes to the fights, and I don't like the practice which is in the Convention Centre, which I suppose reinforces what the Attorney-General is suggesting in part of this bill, where they actually sell hard liquor in the same room as the fights take place. In other words, you don't have to go outside the area to buy a drink and you don't buy a drink between rounds; as I recall it clearly you can buy liquor from before the fights, through the fights non-stop and when the fights are over. So there are guys drinking hard liquor and they're at the bar and they're still watching the fight; they don't have to go into the hall. The bar is behind the seats and the ring is in front so you're able to drink while you watch, without interruption.

The result is some people get quite loaded and the result is when people are watching boxing, I happen to believe that if you watch violence it tends to beget violence, and if the fights in the ring are lousy on that particular card you can always have the compensating factor that the fights after the fights

will be fairly interesting because there's always somebody fighting after. There's always a couple of guys in the crowd, for whatever reasons, slugging each other after the match.

In fact the last time I went, Mr. Speaker, some woman foolishly involved herself in a fight. Two fellows were punching each other around, some woman who had a bit of a sense of humour, but very poor judgement, intervened in this fight and pretended to be a karate expert, while these two guys were temporarily apart about six feet, and she went forward towards these fellows, pretending to throw karate chops, one leg in the air. The next thing I know this fellow grabbed her, threw her on the ground and applied an old-fashioned punch to her; at which her point her boyfriend went beserk, grabbed this fellow, threw him down and beat him up. You know this is the sort of thing which at least has occurred and which may occur again.

I attribute that behaviour to a large extent . . . A lot of it's attributable to the fact that, as I say, the average fight fan is a pretty tough guy but also to the fact liquor is available non-stop right there, inside. There are people walking around, and that always bothers me when somebody's walking around who's had a few drinks, carrying a glass in a tight situation where they are going to bump into somebody . . . —(Interjection)— Well, this is after hours.

So I say, Mr. Speaker, there's bound to be trouble. When somebody spills a drink on your suit, or on your wife, or on your kid or something, you may say a few words to that person and they may say a few words back; the atmosphere may heat up. So I'm saying I'm worried about liquor being sold inside sporting events or being taken inside sporting events.

Now I know, I know, I talked to people about this; they like to have a beer in the stands. At one time I think they sold beer in the stands but I don't know if this is still true. Someone said they don't do it anymore, that you have to go out. I talked to a lawyer the other day, I was having lunch here and I happened to meet somebody, he said he'd seen people carrying six, eight, ten beers, these great big plastic containers, pour it all in one, carrying them around. He said he saw a woman one time carrying 12. I don't know whether she had a great big cardboard box or whether she had a bunch under her arms and balancing them or what, but he said she had 12 of these things. Well you go walking around with all this booze and the next thing you know you might stumble and spill it. It's a provocative type of thing.

So I say if this Bill is going to lead — and I want some assurances from the Attorney-General — if this is going to mean that now Winnipeg is going to take that quantum leap of selling hard stuff at all sporting events and people are going to be buying this non-stop throughout the three or four-hour program and walking around and getting drunk in the stands and so on, let me tell you, Mr. Speaker, we're asking for trouble, big trouble. I don't want to go to sporting events where the whole 15,000 fans are half loaded or, as my colleague says, they're in a tight situation.

I want to also reinforce this by quoting from the Free Press on April 11th, unfortunately an

unidentified police spokesman but I'm sure that if the Attorney-General went to the Chief of Police or talked to law enforcement officers they would not be in favour of this, they would say this is not a prudent measure. I'd just like to read a couple of paragraphs here, the article says Despite the disorderly conduct of some sports fans in the past, a proposed Liquor Control Act amendment would allow the Liquor Commission to serve more than beer at the arena and stadium. Before the switch to low alcohol beer from the sale of regular brew at the arena and stadium there were problems with disorderly conduct. A police spokesman who asked not to be named said 'I don't see how selling hard liquor would be any improvement on the situation', he said.

So this man is saying that when we went from regular beer to lo-cal or lo-ball, whatever they call it, beer that was okay but now we're talking about going to hard stuff and that's of course a little stronger than the regular beer. It's also very different, Mr. Speaker, than American beer. I don't know if our lo-ball beer is stronger than American beer . . . It is, it's stronger. So I mean all the traditions in the United States of people having a beer, well you know you drink American beer you know the difference, and you get Americans and give them a few of our beer and they will notice the difference. They will say it and they will act it. We're hard-drinking Canadians.

The Attorney-General in this article said it won't necessarily mean that they will be served more than beer, and so and so on; I'll let him speak for himself. Winnipeg Enterprises Corporation, says that . . . And they now sell liquor in a lounge in the arena so I think this has to be clarified. Are we talking about more lounges; are we talking about changes to the lounges or are we talking about wide open dispensers and take your drink into the stand with you?

Mr. Speaker, I think those are the main points I wanted to make. It will be interesting to see the report that the Attorney-General has commissioned on liquor in Manitoba, which is, I think, part of a bigger package. There were significant improvements made 20-odd years ago when the Bracken Commission reported. I think that was a milestone. I think it brought our liquor laws pretty well up to date and I think it was a credit to John Bracken, who was the former premier of Manitoba, who I think surprised a lot of people. They expected a very narrow, tough, old-fashioned report; they got a sweeping, modern report from a man who served as premier for some 23 years in Manitoba.

So I'm all for what might be described as civilized drinking, Mr. Speaker, and the change in our habits of more wine being sold as, for instance, a substitute for hard liquor, etc. I think the drinking habits of Manitobans have improved considerably in the last few decades from the days in the early '50s when people took a bottle into a nightclub and bought a glass of mix for six bits, then poured a drink under the table. I remember that —(Interjection)— Oh yes, I am.

MR. SHERMAN: That came after Joe Louis.

MR. DOERN: That's right, around Rocky Marciano, or somebody like that, and Bud Sherman.

Mr. Speaker, I say that strides have been made. I believe a lot of good changes were brought in by our administration and many of them were brought in by Frank Syms, the much maligned former chairman of the Liquor Control Commission.

If these bill is going to move in the direction of civilized drinking and right attitude towards drinking, as opposed to something you buy a bottle and drink it in the dark, wine as a part of living and of eating and enjoying life, then it's a good bill but, as I said, if it's going to mean wide-open boozing at the arena and the stadium, etc., then boy I can tell you I am dead against it. It will then become unpleasant rather than pleasant to attend sporting events. It's now pleasant to attend cultural events and I hope the Attorney-General will, first of all, clarify his position and, secondly, be on guard so as not to turn the clock back to rowdiness and toughness at what should be enjoyable recreation.

INTRODUCTION OF GUESTS

MR. SPEAKER: Before I recognize the next speaker, I should like to draw the honourable members attention to the gallery on my left, where we have 35 students of Grade 10 to 13 standing, from St. Johns High School, under the direction of Mr. Billinghoff and they are hosting students of Cedarbrae Collegiate in Scarborough, Ontario. On behalf of all the honourable members we welcome you here this afternoon.

The Honourable Attorney-General will be closing debate.

The Honourable Attorney-General.

MR. MERCIER: Thank you, Mr. Speaker. I would like to thank the Member for St. Vital and the Member for Elmwood for their concerns and comments with respect to this proposed bill.

I would simply, Mr. Speaker, reiterate my comments on introducing the bill that there is no intention, certainly at the present time, to change the policy presently in effect, which limits the consumption of alcoholic beverages at sporting events to beer only. There is no intention to change that policy to allow the sale of liquor in the same way as beer is sold at the arena and stadium at sporting events.

The primary purpose of the Bill, Mr. Speaker, is to give to a facility like the Keystone Centre in Brandon the same privileges which the Winnipeg Convention Centre has in Winnipeg and, rather than amending the Act in a similar way it was amended in the past to specifically give the same privilege to the Keystone Centre in Brandon by naming it as the Winnipeg Convention Centre was named, it was deemed more appropriate to amend the Act by giving the Commission the authority to do exactly that, to give to the Brandon Keystone Centre the same privileges as the Winnipeg Convention Centre and thereby eliminating the need for future and similar privileges to be included by way of amendment to the Liquor Control Act.

Mr. Speaker, I appreciate the concerns that have been raised by the two members who have just spoken. They have expressed some concerns with respect to existing licences and I will undertake to

explore those concerns with the Liquor Commission and be in a position to report to them at Law Amendments Committee on the concerns which they have raised. Thank you, Mr. Speaker.

QUESTION put, MOTION carried.

SECOND READING GOVERNMENT BILLS

BILL NO. 4 — AN ACT TO AMEND THE FATAL ACCIDENTS ACT AND THE TRUSTEE ACT

HON. GERALD W. J. MERCIER (Osborne) presented Bill No. 4, An Act to amend The Fatal Accidents Act and The Trustees Act for second reading.

MOTION presented.

MR. SPEAKER: The Honourable Attorney-General.

MR. MERCIER: Mr. Speaker, the purpose of Bill No. 4 is to allow close relatives of a deceased person to be awarded damages under The Fatal Accidents Act, to compensate for their own loss of guidance, care and companionship which results from the accidental death of the deceased. The bill removes from The Trustee Act the right for the estate of a deceased person to claim for damages for loss of expectation of life. Both these changes, Mr. Speaker, were recommended by the Manitoba Law Reform Commission in its report on the Estate Claim for Loss of Expectation of Life. The province of Manitoba is the only province in Canada which still awards damages for expectation of life.

The Manitoba Law Reform Commission, along with the Alberta Institute of Law Research and Reform, the English Law Reform Commission and the Scottish Law Reform Commission have criticized an award of damages for Loss of Expectation of Life. They have stated that such an award is artificial in that it allows compensation for a person suffering after that person's death and it benefits those who have not suffered. This runs counter to the general principle of law which is that a person should be compensated for a loss he suffers as a result of a wrongful act; also the amount of the award for Loss of Expectation of Life is arbitrary, given that there is no accurate method of assessing damages under this head.

Mr. Speaker, to allow the close relations of a deceased person to recover for their loss of care, guidance and companionship, which results from the death of the deceased person, is more in line with the general principles of compensation that I have stated above, because those who suffer should receive some sort of benefit. There is case law in Canada which provides some guidance to courts in their assessment of damages for such a loss.

In recent years Scotland and Alberta have passed legislation which provides that close relations of a deceased person may receive compensation for the loss of guidance, care and companionship; that the claimant might have reasonably expected to receive from the deceased if the death had not occurred.

I want to emphasize, Mr. Speaker, that the substitution of a right to recover for loss of guidance, care and companionship for a right to recover for

loss of expectation of life, in no way decreases the amount of compensation available to the close relations of the deceased person.

In Manitoba an award under The Trustee Act to a beneficiary of the estate is deducted from any award to that person as a dependant under The Fatal Accidents Act in order to avoid duplication of damages. Thus a person who would be entitled to benefit under both The Trustee Act and The Fatal Accidents Act will not lose a right to compensation as a result of the removal of the right to recover damages for loss of expectation of life, because that person will receive the full amount of compensation awarded to him under The Fatal Accidents Act without concern of any amount being deducted under The Trustee Act, as was the case before. The right to recover for loss of care and guidance and companionship will not extend to the estate of a person entitled to so benefit.

Mr. Speaker, I recommend to members support of this bill which changes law in Manitoba with respect to recovery of damages, to compensate for the wrongful death of a person so as to bring it in conformity with the general principles of the Law of Damages. Thank you, Mr. Speaker.

MR. SPEAKER: The Honourable Member for Logan.

MR. JENKINS: Mr. Speaker, I beg to move, seconded by the Honourable Member for Kildonan, that debate be adjourned.

MOTION presented and carried.

BILL NO. 13 — AN ACT TO AMEND THE DEFAMATION ACT

MR. MERCIER presented Bill No. 13, an Act to amend The Defamation Act for second reading.

MOTION presented.

MR. SPEAKER: The Honourable Attorney-General.

MR. MERCIER: Mr. Speaker, Bill 13 changes the libel laws of this province to provide better protection for newspapers from being sued for letters published in those newspapers. Mr. Speaker, I'd like to outline the circumstances which led to the introduction of this important amendment to The Defamation Act.

The Supreme Court in the case of *Cherneski versus Armadale Publishers Limited* brought forth a decision which significantly limits the availability to publishers of the defence of fair comment in situations where the newspaper, or other publishing organizations publishes the opinions of others. In that case a newspaper published a letter to the editor which criticized a local alderman. The newspaper was held libel for defamation because it did not agree with the opinions expressed in the letter. Mr. Speaker, that Supreme Court decision is considered by many to severely limit the basic freedom contained in our society, that being the freedom of expression, because it forces publishers to publish only opinions with which they concur. That situation can hardly be considered acceptable in a

democratic and pluralistic society such as ours, which prides itself upon and encourages individuals to express opinions no matter how diverse.

Last year at a meeting of Provincial Justice Ministers my counterparts and I agreed the provincial libel law should be changed to provide to those who publish the opinions of others better protection against defamation suits. The Uniform Law Conference of Canada has also recommended the same change in the Law of Defamation.

The amendments in this bill provide more protection for a publisher by making available to the publisher the defence of fair comment. When he publishes the opinion of another, even if he does not agree with the opinion, as long as the publisher does not know that the person expressing the opinion does not hold that opinion — and I emphasize this latter provision — if a person could honestly hold that opinion expressed. Mr. Speaker, that the defence of fair comment should be available in situations where a person could honestly hold such a position, cannot be denied. But I want to assure members that this is not a radical change which would permit a publisher to publish opinions of others which are untrue or unfounded and which lead to a damaging of the character and integrity of the person at whom the opinions are directed.

The amendment is in keeping with the general principles in the Law of Defamation which provide that a person is not liable for defamation where he can prove fair comment. Such a defence is necessary if there is to be a free and open exchange of views in our society.

This bill contains another amendment to The Defamation Act which extends the protection afforded under that Act to newspapers. Recent technological advances in the cable transmission of television have made it possible for newspapers to publish their articles and editorials by way of television screen. The existing definition of publish in The Defamation Act does not cover this type of publication so that the newspaper would not have the protection of The Defamation Act in such a situation. This bill amends the definition of publish to include the dissemination of information from or by a newspaper in any form.

The development of cable transmission of television signals has rendered obsolete the existing definition of broadcasting in The Defamation Act, so that the definition is amended to include certain modern methods of transmitting broadcasting signals, such things as transmission by way of cables, wires and wireless radio-electric communications.

Mr. Speaker, I would urge members to support this bill which amends The Defamation Act, to provide better protection to those who publish the opinions of others. One of the fundamental freedoms which we, as a democratic society, enjoy is freedom of expression. We, as elected representatives, should ensure that this freedom is not restricted. Thank you, Mr. Speaker.

MR. SPEAKER: The Honourable Member for Logan.

MR. JENKINS: Yes, Mr. Speaker. I beg to move, seconded by the Honourable Member for Wellington that debate be adjourned.

MOTION presented and carried.

**BILL NO. 36 — AN ACT TO AMEND
THE HIGHWAY TRAFFIC ACT AND
THE TORTFEASORS AND
CONTRIBUTORY NEGLIGENCE ACT.**

MR. MERCIER presented Bill No. 36, An Act to amend The Highway Traffic Act and The Tortfeasors and Contributory Negligence Act for second reading.

MOTION presented.

MR. SPEAKER: The Honourable Attorney-General.

MR. MERCIER: Mr. Speaker, this bill in essence repeals Section 145 of The Highway Traffic Act which restricts a guest passenger's right of action against an owner or operator of a motor vehicle to situations in which injury, loss or death occurs through the gross negligence or willful and wanton misconduct of the owner or operator of the motor vehicle. This was recommended by the Manitoba Law Reform Commission in 1975 in their report on The Highway Traffic Act and was never acted upon, Mr. Speaker.

In their report the Law Reform Commission stated that, and I quote: The seriousness of personal injury is not determined according to the seriousness of the negligence which causes that injury. Even ordinary garden variety negligence can cause extraordinary serious injuries. The jurisprudence which the gross negligence provision has generated over the years is marked by imprecision of prognosis and contorted reasoning. The point is, that serious injuries should be actionable and compensable even though inflicted through ordinary negligence.

Mr. Speaker, I believe that this report of the Law Reform Commission is one that should be acted on and will thereby reduce the onus of proof on a guest passenger from gross negligence to ordinary negligence, and I think, Mr. Speaker, is a benefit and improvement in the law of negligence in this province and I would recommend it to all members, Mr. Speaker.

MR. SPEAKER: The Honourable Member for Logan.

MR. JENKINS: Yes, thank you, Mr. Speaker. I beg to move, seconded by the Honourable Member for Elmwood, that debate be adjourned.

MOTION presented and carried.

MR. SPEAKER: The Honourable Attorney-General.

MR. MERCIER: Mr. Speaker, I'm advised that members opposite are agreeable to proceeding at this time with Private Members' Hour and are just awaiting the return to the Chamber of the Member for Brandon East and we'll attempt to get the Minister responsible for MDC here, if we could be allowed a few minutes, Mr. Speaker, before we proceed.

PRIVATE MEMBERS' HOUR

ORDER FOR RETURN

MR. SPEAKER: Order please. We're now under Private Members' Hour. The first order of business on Wednesdays are Orders for Return and Address for Papers that have been transferred for debate.

The Honourable Member for Brandon East.

MR. LEONARD S. EVANS: Thank you, Mr. Speaker. The debate today is on the matter of whether it is in the interests of the public to release information that the Minister has with regard to bids proposed last summer for the purchase of the McKenzie Seeds Limited, or McKenzie-Steele Briggs Company Limited. As a way of background, Mr. Speaker, the bids were a result of a national advertisement placed by the Manitoba Development Corporation on instructions of the Minister. The advertisement invited companies, individuals, interested in acquiring this business to submit bids to the Manitoba Development Corporation. I'm looking for the actual advertisement and I can't seem to lay my hands on it but, at any rate, there was a closing date in the middle of last year and eventually the bids were submitted — I believe there were five bids in all — and the government, through the MDC, considered those bids in due course.

After due consideration, the decision was made not to accept any of these bids because the Minister described them as being unsatisfactory, and of course we don't have the detail as to why the bids were unsatisfactory, and I guess that is a matter of assessment by the government, by the Minister and his staff. I believe, however, inasmuch as the bids are no longer under active consideration, that this particular phase in the move to dispose of McKenzie Seeds by the government, this particular phase is closed, namely, that all bids were rejected. It would seem to me that the making available to the public of this particular information would not in any way have a bearing on any current activity of the Minister and the government. I shouldn't say, in any way, but would not have a direct specific bearing on current negotiations because the negotiations are not current.

Of course we on this side would be much happier if the government was not interested in selling the company, in whole or in part; we prefer to maintain a status quo. This point has been debated many times and I do not intend to repeat that. I simply say though, that by not making available these copies, by refusing to make available these copies, I believe it is not in the interests of open government. I think as one who has been in political life on both sides of this House, Mr. Speaker, for about a decade, and also observing the scene in Ottawa and indeed some other governments across the country, it seems to me that there is far too much secrecy in our system of government. And sometimes it is not the responsibility for over-secrecy, the responsibility for excessive confidentiality is not the doings, if you like, of the Minister of the elected people, and very often, by the initiative of the elected representatives, whether it be a Minister, a parliamentary secretary or a legislative assistant or what have you. Quite often, and I would say in most instances, it's probably

senior bureaucrats who are trying to protect their own position and I'm not suggesting that this is necessarily the situation in this case but I'm making this as a general observation with regard to excessive secrecy on the part of governments. I don't believe it does the democratic process any good and I think it's to be regretted. And I for one would like to see freedom of information legislation apply in this province. I would like to see far more information made available to the people of our province than at present is made available.

As a matter of fact, I think the very peculiar situation is today comparing Canada with the United States it's far easier to find out about certain matters of state that's going on in Canada through the United States than it is from Canada itself. I think a case in point was the salary of the chairman of the Canadian Pacific Railway. The Canadian Pacific Railway is a public utility subject to the scrutiny of the Canadian Transportation Commission, and no way was it going to be revealed by the CPR as to the salary of the chairman of that corporation, I think Mr. Ian Sinclair. At any rate, it didn't come out; but where it was obtained, Mr. Speaker, was from Washington because some agency in the United States required that of the railway and it was made public to the people of Canada through a federal agency in our neighbour to the south. I think generally it's far easier to get information in the American governmental system, as we see it today, than it is in the British parliamentary system, as it is operating in this country today. And I think that principle is a principle that should be kept in mind when we're debating the five bids that we would like to obtain copies of.

What it does, Mr. Speaker, by not making the copies of the submissions available, it leaves one asking a lot of questions about Bohmer Box Company Limited in particular. Bohmer Box as we know is the company that the Minister and his staff have been dealing with since the bids were rejected and it makes one wonder why, of the five bids having been rejected included Bohmer Box, why the government could see fit to then proceed to negotiate with that company. We'd like to know whether Bohmer Box had the very best bid. Now if it had the very best bid, maybe there is some reason, but on the other hand, Mr. Speaker, I think there's a question of ethics here, there's a question of propriety, a question of whether it is an ethical procedure for a government, having rejected a company along with four other bids, to then turn around a month or so later and open negotiations with one of those bidders, even though the terms may be different, nevertheless, it calls into question the propriety of proceeding in that way. So by not having this information there is some suspicion surrounding why the government should be dealing with Bohmer Box and why not the employees of the company, or why not whoever else bid on this particular corporation. I don't believe we have knowledge of the others who have bid; I don't believe it's public knowledge as to who, apart from the employees group, who else offered to purchase the company. And we have no information as to why the government rejected any of these bids. Generally, Mr. Speaker, the public of Manitoba is being left in the dark. It's not me, it's not the

Brandon for Brandon East, it's not the opposition; it's the public of Manitoba, and this is I think what's at stake, whether the public of Manitoba should be deprived — those who are interested at least in the public of Manitoba, that big body of electors out there and citizens, whether they should be denied this particular information.

Mr. Speaker, I have deliberately stayed away from the argument which we've had many a time in the House, the debate; I don't really want to get into that. I suppose we could bend the rules a little bit and get into the whole question of the operation of the company, whether it should continue to exist, whether it should expand, whether it should be changed, and ask a number of questions. But I'm refraining from that, I'm simply confining my remarks to the question of whether it's in the public interest to have the bids made public documents. I believe it is and therefore, Mr. Speaker, I would hope members of this House would support me in this matter and cause the government, cause the Minister to make that information public.

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

MR. BANMAN: Mr. Speaker, thank you. I intend to be brief. Let me say at the outset that I have no problem in revealing any information within my departments or within this particular company with the one caveat; that I do not want to disclose documents which in any way can hurt the competitive advantage or jeopardize any future negotiations with regard to this company.

At the time when I dealt with the other Order for Return I quoted Beauchesne, Section 390, in which it states that, papers relating to negotiations leading up to a contract, until the contract has been executed or negotiations have been concluded, fall within the categories of being exempt in the production of such a claim, as the Member for Brandon East has requested.

I believe, Mr. Speaker, that we are doing our best to try and make this company a viable company and keep it operating in Brandon. It is my feeling, and the feeling of the people that I've spoken to, that because of the nature of the confidentiality of the bids, there could be certain information within them that until our search to try and either find a partner or find an equity position with another company, the information contained in that could be detrimental to any negotiations that the government might carry on or is carrying on at the present.

I think that the member across the way will appreciate that there are certain things that can hurt this company. I mention the Thorne Riddell Report; I would like to say I appreciate that he withdrew that particular section where he asked for the report. I have always said, from Day One when that report was referred to, that I would not be tabling it because there was some very confidential information in there which I think will serve to benefit the company but would not do anything to enhance the company's position in the marketplace.

Mr. Speaker, I would just like to say that is precisely very much the same type of situation that the former Minister in charge of McKenzie Seed found himself in and I could, I guess, quote

numerous memos and correspondence that the Member for Brandon East had with regard to the disclosure of documents pertaining to this company and, in all instances, he was concerned at that time about disclosing any information that would hurt this company. So, Mr. Speaker, I say to you that I feel, at the present time, and that doesn't say that in the future if some negotiations are concluded or some other avenues are taken with regard to the company, that these documents will not become public knowledge, but I feel at the present time that the stand which I have to take is that any documents that would hurt the competitive advantage of the company, as well as jeopardize any negotiations for strengthening or making the company a more viable company, I cannot produce those papers, and having said that, Mr. Speaker, I hope my position has been made clear.

QUESTION put, MOTION defeated.

MR. PETER FOX (Kildonan): Yeas and Nays, Mr. Speaker.

MR. SPEAKER: Call in the members.

Order please. The question before the House, that an Order of the House do issue for a Return of the following information: A copy of each bid submitted in 1979 to the government for the purchase of McKenzie Steele-Briggs Limited.

A STANDING VOTE was taken, the result being as follows:

YEAS

ADAM EVANS McBRYDE PAWLEY
CORRIN FOX MILLER SCHROEDER
DESJARDINS HANUSCHAK PARASIUK WALD
ING
DOERN JENKINS

NAYS

BANMAN EINARSON JOHNSTON MINAKER
BLAKE ENNS JORGENSON ORCHARD
BROWN FERGUSON KOVNATS PRICE
COSENS FILMON LYON RANSOM
DOMINO GALBRAITH MCGREGOR SHERMAN
DOWNEY GOURLAY MCKENZIE STEEN
DRIEDGER HYDE MERCIER

MR. CLERK: Yeas 14, Nays 27.

MR. SPEAKER: I declare the Motion lost.
The Honourable Government House Leader.

MR. MERCIER: Mr. Speaker, I move, seconded by the Member for Kildonan that this House do now adjourn.

MOTION presented and carried, and the House adjourned and stands adjourned until 2 o'clock tomorrow. (Thursday)