

THE LEGISLATIVE ASSEMBLY OF MANITOBA

2:30 o'clock, Tuesday, July 27, 1971

Opening Prayer by Mr. Speaker.

MR. SPEAKER: Presenting Petitions; Reading and Receiving Petitions; Presenting Reports by Standing and Special Committees; Ministerial Statements and Tabling of Reports.

TABLING OF REPORT

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

HON. LEONARD S. EVANS (Minister of Industry and Commerce) (Brandon East): Mr. Speaker, I'd like to table the Annual Report for the year ended March 31, 1971, of the Manitoba Development Corporation.

MR. SPEAKER: Any other Ministerial statements or reports? Notices of Motion; Introduction of Bills; Oral Questions.

ORAL QUESTION PERIOD

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SIDNEY SPIVAK, Q.C. (Leader of the Opposition) (River Heights): Mr. Speaker, in the absence of the First Minister, I will address the question to the House Leader and I'm not sure that he's the one to whom this should be addressed, but I wonder if he could indicate the name of the advertising agency who will be handling the advertising for the Lotteries Commission.

MR. SPEAKER: The Honourable Attorney-General.

HON. A. H. MACKLING, Q.C. (Attorney-General) (St. James): Mr. Speaker, through you, I answer the honourable member that that matter has not yet been decided but is under consideration.

MR. SPEAKER: Oral questions. Orders of the Day. The Honourable House Leader.

ORDERS OF THE DAY

HON. SIDNEY GREEN, Q.C. (Minister of Mines, Resources and Environmental Management) (Inkster): Mr. Speaker, I understand that there is some desire on the part of honourable members to review matters relating to the Bill 107, I believe it is, the one remaining bill, and that there is then a disposition to go into Municipal Affairs Committee. Mr. Speaker, it's also been suggested, so that all honourable members in the House would be accommodated, that Municipal Affairs Committee consider referring the clause-by-clause consideration of Bill 107 back to the Committee of the Whole House so that all members would then be able to participate in the clause-by-clause examination and be able to move amendments to the bill. Now, without foreclosing the consideration of the Committee, that suggestion apparently would make it possible for all honourable members to participate in the clause-by-clause consideration of that bill, which would make it less difficult to introduce amendments at the report stage, so I merely make that announcement to indicate that that is being considered so that all honourable members in the House could be accommodated, and I would await the Committee's consideration of it.

If I have read the House properly, Mr. Speaker, I would take it that an informal adjournment till 3:00 o'clock, followed by a meeting of Municipal Affairs Committee, followed by a return to the House at the will of the members, would be the next order of the day.

MR. SPEAKER: The Honourable Member from Morris.

MR. WARNER H. JORGENSEN (Morris): Mr. Speaker, that arrangement is agreeable to us with one exception. I wonder if the Minister would undertake to give us just a little more than the 25 minutes; 3:30 would be more suitable to us if that is agreeable to the government.

MR. SPEAKER: The Honourable Member for Rhineland.

MR. JACOB M. FROESE (Rhineland): Mr. Speaker, I do not undertake to give leave to this. I have on previous occasions asked for consideration and . . .

MR. SPEAKER: The Honourable Minister of Mines.

MR. GREEN: I'm not asking for leave. I'm announcing that the Municipal Affairs Committee is meeting at 3:30 this afternoon and I'm asking the House to adjourn informally until that time.

MR. SPEAKER: I shall be leaving the Chair to return at the will of the Assembly. The

(MR. SPEAKER cont'd) buzzer will sound, I presume.

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Sitting Resumed

REPORTS BY STANDING COMMITTEES

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

MR. WALLY JOHANNSON (St. Matthews): Mr. Speaker, I beg leave to present the Fifth Report of the Standing Committee on Municipal Affairs.

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

Your Committee recommends that Bill No. 107, An Act respecting The City of Brandon and Certain Neighbouring Municipalities, be referred to the Committee of the Whole House to be considered clause by clause, all of which is respectfully submitted.

MR. JOHANNSON: I move, seconded by the Honourable Member for The Pas, that the report of the committee be received.

MR. SPEAKER presented the motion.

MR. SPEAKER: The Honourable Member for Rhineland.

MR. FROESE: Mr. Chairman, I just want to make — pardon? Well, this is a debatable motion and I see no reason why I cannot participate. — (Interjection) — Oh, I'm sorry. Mr. Speaker, I certainly wouldn't mind addressing you, Sir. I feel that we are disregarding our present rules of the House. They were changed at this last session and by reverting to the situation that is being done by this particular motion that is before us, that the government, what they are doing, they are avoiding the notice that would ordinarily have to go with the procedure that has been laid down and has been accepted by this House, and I feel that this is irregular. I feel that the government is taking advantage of a situation here because of introducing a measure so late in the session, that they want to rush it through the last day of the session. This is very important legislation that I feel deserves much greater consideration than it has. It will affect the people in those areas for years and years to come, and many of them will be affected adversely. We have heard from the various people in the representations that they made that they were very concerned about this, and now we also have some further amendments before us which these people are not knowledgeable about; they don't know what is happening at this time, and I don't feel that this is fair, that we are not playing fair with these many people that are being annexed into Brandon, neither with the people of Brandon as well, because they too don't know what is happening. We should have allowed more time to go by so that contact could be made with representatives of these people so that they would be aware of what was happening and that this matter could be dealt with in a much better way. I feel the bill and the contents of it are important enough that we delay the consideration of this bill until tomorrow, so that contacts can be made, and then proceed with it.

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

MR. LAURENT L. DESJARDINS (St. Boniface): Mr. Speaker, I think that the last speech, that the statement made by the Honourable Member for Rhineland is about the most unfair statement that he could have made. Actually it's his usual speech. But how can the gentleman say, how can the gentleman say, Mr. Speaker, that the government is trying to do something unusual or something that is not quite right? He claims on one hand that it's very very important. Now there is nothing left — this is one of the last items left on the Order Paper. There's no other committees that are engaged in any work so the committee unanimously approve a recommendation that this committee send it to the House where all the members, including the member that just spoke, can take part, can take an active part and he will be a member of the committee that will look at this clause by clause. There has been an awful lot of work that's been done since then. Nothing is being rushed. There is no attempt to hide anything. We have listened to the delegations now — that's finished; that's terminated; and the government could have brought this in this afternoon, wait 48 hours and come back. Now this will not be decided tonight. The members of the Opposition requested that this be discussed clause by clause tonight and the member knows that he doesn't have to give leave, that we will have to come back

(MR. DESJARDINS cont'd) tomorrow for this, for third reading, so I think that it is most unfair. What has he said? That it's too important. Well, if it's very important, what better way than to say, all right, let's bring it in the House where every single member are members of the committee that will look at it clause by clause. I say that this was a ridiculous statement, Sir, and I don't think that anybody will believe him.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SPIVAK: Mr. Speaker, I am reluctant to enter the debate but I think it's necessary in view of the remarks of the Honourable Member for St. Boniface. I don't think that the Honourable Member for Rhineland should be chastised so much. I recognize that we are at the end of the session and that in all likelihood we will proceed and hopefully come to some agreement tonight, and I would hope that the Honourable Member for Rhineland would not in any way prevent us from concluding . . . if this is in fact, if we have arrived at that point and we are really only going into the last procedural change. But I think that the Honourable Member for Rhineland's point has to be understood in the context of the full session and particularly in the context of this controversial bill, and the fact that we really only have had one week in which we have had to debate the hearings and the time to deal with the amendments that are proposed based on the representations at the hearings. Now the truth of the matter is this, that - as we said before - this is a fundamental change affecting people numbering 45,000 in this province, a significant area, an area that has had a concern for the particular problem that is attempting to be solved here. There were procedures that were followed with respect to unity that were not followed in the case of Brandon and the surrounding area, and the criticism that is levelled is a legitimate criticism. It is a legitimate criticism to the extent that what we are attempting to do is to provide something better than existed before, and that we in fact are doing it in a sort of limited, small or brief period of time, and this goes to the heart of the . . .

MR. SPEAKER: The Honourable Minister of Mines and Natural Resources on a point of order.

MR. GREEN: Mr. Speaker, on a point of order; we discussed this matter this afternoon and I thought we were proceeding by general consent. If that's not the case we will follow the usual procedure. I thought we were proceeding by the consent of all members.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SPIVAK: No one has suggested that we didn't have consent. No. My remarks are directed to the Member for St. Boniface and I simply suggest to him that the chastisement of the Honourable Member for Rhineland is not justified because his position, I think, is clear and I think his points have to be well taken, and they go not to the specific situation of this afternoon in dealing with the amendments, or this evening -- (Interjection) -- Well, Mr. Speaker, I doubt if the . . .

MR. SPEAKER: The Honourable Member for St. Boniface on a point of order.

MR. DESJARDINS: I have a point of order, Mr. Speaker, because my honourable friend just said we are not addressing my remarks to the specific contents of the report. All the report said was referring the subject matter to this House, so I say that the member has no valid point and actually he's out of order. We are just debating, not how the government has acted on other bills or so late in the session, we are just debating the subject matter being referred here, Mr. Speaker.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SPIVAK: Well, if the Honourable Member for St. Boniface would become rational for a few moments, I never mentioned any other bill, and if he would just allow me my very brief remarks - through you, Mr. Speaker, to the Honourable Member for St. Boniface - the Honourable Member for Rhineland should not be chastised for his criticism, because I think it's well placed and justified based on the perspective of where we sit at this time, at the conclusion of the session, and the perspective of the fundamental change that's being proposed by this particular bill that comes as a result of the representations that were made and which obviously had not been considered by the people who are directly going to be affected, because there has been no answer given as to whether the people involved were in fact contacted and, from what information we can gather in the short period of time, they were not. Having said that, at the same time I would hope that the Honourable Member for Rhineland would cooperate, as we're attempting to cooperate, in trying to conclude this matter, but he should not be chastised for his criticism of the government or of the position in which he finds himself, as other members, with respect to this bill.

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

GOVERNMENT RESOLUTIONS

MR. SPEAKER: The Honourable House Leader.

MR. GREEN: Mr. Speaker, would you please call the proposed resolution of the Honourable the First Minister and the amendment of the Member for Riel.

MR. SPEAKER: I believe the Honourable Minister of Mines and Natural Resources was debating the question and he has 17 minutes.

MR. GREEN: Mr. Speaker, I assure you I intend to take no more than two in closing my remarks. I believe that when we concluded debate this afternoon we were discussing bookkeeping, and the Member for Riel decided that on his side of the House they should keep two sets of books, Mr. Speaker. I don't think that that will be any more acceptable to the people of Manitoba than it is to the Income Tax Department and I suggest that our books are in good order.

I make one more comment, Mr. Speaker. The Member for Riel has said that we have refused to present the report of the Standing Committee. I think that we have indicated on numerous occasions that the report of that committee will be presented. We have also indicated that because we consider other House business to be priority and because we know that a custom has developed to debate reports of committees to the extent, Mr. Speaker, that you had to change your procedure and introduce guests in the gallery before reports from committee, which is an unusual thing to do, because of the length of debates that were taking place, the honourable members have the right to debate the reports, we have the right to bring them in when we feel that they should be brought in, they can be debated when they have been brought in, but the fact is that we have not refused; we have indicated that the report of the committee will be presented; and I say, Mr. Speaker, that to the best of my knowledge, information and belief, it will be presented before the end of the session.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SPIVAK: Mr. Speaker, one can only hope that the wind that raised the level of Lake Winnipeg on Saturday and Friday was not as full as the wind that came out of the Minister of Mines and Natural Resources with respect to this particular item. Certainly I'm sure the shrill was higher today than it was on the weekend.

Mr. Speaker, let's try to understand the validity of the Minister of Mines and Natural Resources' position. What he is saying is that the government will present the report. What he is also saying is that the report of a Crown corporation referred to a standing committee will mean that, so long as it is in the hands of the Standing Committee, it cannot be discussed in the House. Well, Mr. Speaker, this is the effect of what he has said. Sir, you have ruled that we are not in the position to discuss matters that are before a standing committee until the report is presented in the House. The Minister has taken the legalistic position that the report of the committee will be presented. What if it is going to be presented exactly one moment before Royal Assent and prorogation? In effect, what the Minister of Mines and Natural Resources is saying is that through his ability to control what comes into the House, he is going to be in a position to basically stifle the Opposition and to restrict and constrain the ability of the Opposition to deal with matters of public importance in this House, because time and time again, Sir, you have indicated to us that we could not debate the issue of Hydro because the matter was before the committee, and the most astounding statement was the statement of the First Minister when he presented this, when he said, "I look at the statute and the statute says that it's permanently referred to the committee, and that's what it means. It's permanently referred to the committee." So now we have a new position by the government. Those matters that are permanently referred to committee are there; they're not to be referred back to the House. You, Sir, have ruled that we cannot debate it because it's in the committee, so then in effect the whole purpose of the section in the statute, the amendment that took place several years ago, was to ensure in a legal way that the matters would never be discussed in the House. That was the intent of the Minister of Public Utilities on that occasion. That was the intent . . .

MR. SPEAKER: The Honourable Minister of Mines on a point of order.

MR. GREEN: Mr. Speaker, the honourable member is referring to a ruling of the Speaker to the effect that Hydro matters could not be debated in this House. I know of no such ruling, Mr. Speaker, and I suggest that the honourable member is reflecting on a ruling of the Speaker, as there has been no such ruling to my knowledge.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SPIVAK: Mr. Speaker, the statute provides that Hydro matters be tabled and be

(MR. SPIVAK cont'd) permanently referred to a committee, a standing committee of the Legislature. That's the provision of the Hydro Act. I don't have it in front of me. The Telephone Act has the same conditions. I have already made reference in this House before and I do not have the exact quotations in front of me, of what the intent was as expressed by the Minister of Public Utilities at the time and the First Minister, and it was clear that the intent was to allow the kind of examination and cross-examination to take place in the committee of Hydro officials and Hydro members, board members, who would be in a position to give the technical information that the members opposite would not have, and then to allow that to be brought back into the House so that in fact there could be debate on the policy based on information that had been obtained from those people who had the technical qualifications, and the Honourable Minister of Public Utilities at that time specifically indicated that that was the purpose, and the First Minister specifically indicated that that was the purpose, and he said the purpose was not to just examine the chairman, but to examine and cross-examine board members, and those quotations are in the record of Hansard of this year so there is no question of what the intent was, and there was general agreement, and the then leader of the New Democratic Party stood up and he supported that position and basically said the same thing. But now what the government is saying because it suits them, at this time, and when we say on this side that you have something to hide and you say you have nothing to hide, we say then why this whole devious and I say essentially deceitful way in which you have prevented the members of the Opposition to debate this issue?

Mr. Speaker, the clear intent of the amendments to the Telephone Act and to the Hydro Act, in which the Crown corporation report would be referred to committee, was to allow exactly what I suggested, discussion so that essential information could be provided in the committee, referral back to the House so there could be discussion in the House, and, Mr. Speaker, until 1971 that was the practice - until the New Democratic Party took over. And until they decided to sort of change the rules to suit them at this particular time, that was the procedure we followed; and the suggestion by the Minister at this time that he's going to comply with the legal requirements because he's going to file the report - you know, he's going to file the report at the end, it may suit his legal brain and he may think that in a court of law in a procedural way he may be able to argue it, but he can't fool the people of this province and he's not going to fool us, Mr. Speaker, because his intention is clear. He does not want Hydro matters debated and, as a matter of fact, if it had not been for the . . .

MR. SPEAKER: Order please. I would suggest that I've allowed a lot of scope in respect to this motion to be debated, and the amendment thereto, but I do believe the Honourable Leader of the Opposition is getting close to the point where he is starting to impute motives to an honourable member of this House, and I think that he should probably reflect upon his utterances before they spill into the Assembly, so that he may have the wisdom of second thought and possibly altering their course. The Honourable Leader of the Opposition.

MR. SPIVAK: Mr. Speaker, one has to question why the government fears an accounting to the public, why they fear an accounting to the Lake Winnipeg property owners, and why they fear an accounting to the members on the opposite side. The truth of the matter is this, Mr. Speaker, that a chairman of the Board has resigned, and one of the top officials has resigned, and they publicly, not only in the committee but outside of the committee, have indicated the fact that in their belief -- (Interjection) -- A member of the Board -- (Interjection) -- No, I did not say the chairman. If I did, then I'm mistaken. I meant a member of the board. No fortunately the chairman, for the government side at least, fortunately for the government he has not resigned yet, but he may suffer the consequences that the chairman of the Autopac suffered when he'll be demoted.

Mr. Speaker, the resignations have indicated that the government is on a course of action which will cost the people a lot of money - that's the representation that's made by the people who have resigned from Hydro and from the Board. Their representation is that the government is spending money foolishly, that in turn the people of Manitoba are going to pay; and there is, you know, there is a genuine concern at this time by many people that the government's judgment is not correct and the government has not helped the situation by this irrational approach of suggesting that in fact we can't deal with this because it's in committee or the legalistic approach that the Minister of Mines and Natural Resources has taken.

MR. SPEAKER: Order please. I would suggest that in this instance it has no bearing on what the government does in respect to procedure. The ruling was mine according to practice

(MR. SPEAKER cont'd) and custom and tradition that are enshrined in our rules of procedure, and therefore I wish the honourable member would reflect before he starts to reflect upon the Chair's rulings, they were not the government's rulings, they were my own. The Honourable Leader of the Opposition.

MR. SPIVAK: Mr. Speaker, I agree. The rulings with respect to the House were yours and I'm not questioning, but the decision not to bring the report back to the Legislature was the government's, clearly the government's, and that's what I'm talking about. It was clearly their intention not to have the matter discussed and, so long as they did not bring the report in, we were prevented from discussing it. They knew it; they think they're very clever about it; and the Minister of Mines and Natural Resources in his own way has made Brownie points in his own mind for what he has done, but what he really has done is he has prevented the kind of discussion to take place in this House that should have taken place.

Mr. Speaker, the First Minister and the Minister of Finance plead with Ottawa and say, "My God, you've taken the Estate Tax away; we are going to lose \$5 million in income that we need and Manitoba's in difficulty," but when a question is raised by competent people that the government is spending \$50 million foolishly, that can't be debated in this House; that can't be debated in this House and, in turn, the kind of scrutiny that should be undertaken is now allowed, and I suggest, Mr. Speaker, because if that scrutiny was taken and if there was an opportunity for people who are competent and knowledgeable in the field to come forward at a proper hearing, that the information that would be brought forward would support our general proposition and the proposition of those who resigned, that the government has made an unbelievable error in judgment that will cost the people of this province anywhere from \$50 - \$150 million; and, Mr. Speaker, it's interesting to note that the first proposal, the first proposal — (Interjection) — stupid; stupid. Well, I would say to the First Minister, I would say to the First Minister, you know, you originally requested public hearings in the resolution that you have brought forward; you didn't say when, and I guess if we follow the logic of the Minister of Mines and Natural Resources the public hearings could be held the afternoon of the morning of the day the next session started, or the morning of the session, because then you could always say we held public hearings.

But, Mr. Speaker, if in fact public hearings were allowed and those people who have some expertise in this were allowed to come forward, I suggest, Mr. Speaker, that they would support our position and they would support the position that we have taken, that there is nothing that supports the government's position with respect to proceedings, there is nothing in the Task Force Report except the chairman's preface, and it's the chairman's conclusion which was a conclusion based on government's policy that is responsible for the whole course of action and the technical information that's brought forward does not submit, does not support the government's position.

Now, Mr. Speaker, that kind of scrutiny we're not allowed. Dr. Kristjanson is not allowed to come forward. Mr. Campbell is not allowed to come forward to rebut the criticism that's been levelled, brought by the chairman to him, and about his argument, although he has had the opportunity of submitting it to us and submitting it to the public. We are dealing with an area which is technical, which is complex, which is involved, and the suggestion earlier of a technical enquiry to investigate this at least would have been one way in which to have satisfied the natural doubts — and they have been raised by people who are competent in this field, who have more knowledge than all the members on the opposite combined in this particular situation, and are capable of presenting the kind of argument that has to be met by people who are either people of equal knowledge who may very well be prepared, and Hydro to come forward for scrutiny and for scrutiny by the committee.

Now this is necessary because until that happens, Mr. Speaker, we on this side are going to continue to doubt the wisdom of the course of action taken by the government. It is an interesting thing, Mr. Speaker, the Minister of Mines and Natural Resources says that we are going to proceed with Lake Winnipeg and we may not have to go to 854 or 850 — we may be able to do it less; and that's what we are really waiting for, and he seems to think — one reason, he said one reason, agrees with the Minister; that's one reason — not the only reason, one reason. You know, Mr. Speaker, and he thinks that that's a very significant argument. Well, let me say to him that the chairman of Hydro indicated in his testimony last year that once you flood South Indian Lake a bit, the full effect of it is the same; the ecological damage is done.

A MEMBER: That's nonsense.

MR. SPIVAK: Well, that's nonsense, then you'd better tell your chairman of Hydro.

A MEMBER: He didn't say . . .

MR. SPIVAK: Yes, he did so. Yes he did. Mr. Speaker, I suggest the Minister of Mines and Natural Resources' distortion - Mr. Speaker, we'll have an opportunity, probably this evening, to be able to refer directly to the words that he used and I'm suggesting, Mr. Speaker, that my statement is far more accurate than the statement the Minister of Mines and Natural Resources made about hundreds of thousands of homes or cottages. I am suggesting, Mr. Speaker, that Mr. Cass-Beggs said in his testimony last year that the ecological damage occurs as soon as flooding starts at an early stage; that it is a question of degree, but in relation the basic damage is done, and as a matter of fact, Mr. Speaker, I remember what I did is I quoted, I believe, from Professor Lansdown, if I'm correct, I quoted the statement and the remarks that he had made directly to Mr. Cass-Beggs so that it would be in the record - all the representations that were made about Southern Indian Lake and the flooding at 869, and I said to him, I put those questions to him exactly as they were put in the record before, and I assure the members opposite that Mr. Cass-Beggs' statement was that the damage was done once you started the flooding. And, of course, the Honourable Member from Lakeside had always made the point, and it's a very simple one; when you flood a home, does it really make any difference whether you flood it at four feet above the floor or at ten feet above the floor? Well it's a simplistic thing, is that right? Well then, I think we should get our simplistic chairman of Hydro to come forward and explain why he agrees with our position and not the government's position, and I'm prepared - and I won't quote this -- (Interjection) -- I'm capable of understanding it. And so, you know, I should tell the First Minister, I'm capable of understanding it -- Yes. Former Premier Campbell is incapable of understanding it; Kris Kristjanson is incapable of understanding it; the only people who have knowledge and are so understanding is the government opposite. Oh yes, they're the only ones.

Well, the other thing, Mr. Speaker, is in reference to Professor Kuiper and the fact that he -- (Interjection) -- Well! Mr. Speaker, I am suggesting that we have had the opportunity of being present and spending a great deal of time with people who have, I think, had as much experience in this field as the members of the Board, who are as knowledgeable; and I suggest, Mr. Speaker, that given the opportunity for the kind of public scrutiny in hearings, that they would have come forward and presented their case and their information and their technical expertise would have come forward and presented their case and their information and their technical expertise would have been invaluable in its proper judgment of what has taken place. Mr. Speaker, let me make reference to Professor Kuiper, because the Premier mentioned it and the Minister of Mines and Natural Resources mentioned Professor Kuiper in his statement and indicated that Professor Kuiper was unhappy with respect to Southern Indian Lake. Regardless of what statement they may quote from Professor Kuiper, who I understand is not in the city at the present time, the truth of the matter is that he did appear on a television program with Mr. Cass-Beggs and he did indicate that he had done the actual mathematical equations, if I'm correct, with respect to the requirements of Hydro, and that there would be a need, in his opinion as an expert, to see to it that the level of Lake Winnipeg was 715 constant.

Now I am suggesting that Professor Kuiper said - and again I have made reference to it before - that Professor Kuiper said on a television program, and we have the transcript, that it would be necessary to have for Hydro purposes, Lake Winnipeg at 715 constant. -- (Interjection) -- You mean his opinion is nonsense or my statement is nonsense? Well I'm saying to the First Minister so we understand, Professor Kuiper said 715 constant. You're saying he didn't say it? Oh you're saying you don't believe me. Well, Mr. Speaker, I hope to bring this information back at 8:00 o'clock and I'll read the transcript - it's already been read into the record - in which he said 715 constant. -- (Interjection) --

MR. SPEAKER: Order please.

MR. SPIVAK: Well, Mr. Speaker, the point that I'm trying to make is that Professor Kuiper questioned Mr. Cass-Beggs . . .

MR. SPEAKER: Order please. May I suggest to the honourable member that he address his remarks to the Chair and, if possible, in the third person, then we won't get the crossfire on the floor. I really request that he do this because otherwise we will never get finished. The Honourable Leader of the Opposition.

MR. SPIVAK: You know, Mr. Speaker, the question is: what is truth? Is truth what the Minister of Mines and Natural Resources says that Professor Kuiper says? Is truth what

(MR. SPIVAK cont'd) I said Professor Kuiper says? Wouldn't it have been better to have had a hearing and heard Professor Kuiper himself? And wouldn't it have been better to take advantage of a person who is an expert in this field, who has offered some contribution, and who could have been called at a period of time when the committee could have met, or could have been called for a time when we could have met when he was present in Winnipeg? -- (Interjection) -- Well, Mr. Speaker, I would rather have it come from him, because I must tell you, Mr. Speaker, for the benefit of the Minister of Mines and Natural Resources, when former Premier Campbell came up and made his presentation, he had a preliminary statement in which he said, "I would not have brought this to the head and I would not have continued on this position if I thought that my position was not supported by others, including Professor Kuiper." Now that's exactly what he said. In his preliminary statement he said Professor Kuiper had raised the same doubts and, as a result, he brought this position to the Board and then finally resigned. And I'm suggesting, Mr. Speaker, that again truth is not what the Minister of Mines and Natural Resources says it is, nor does it have to be mine, except that I think I can support mine by a television transcript, which I think is clear. Well I can support it and, you know, our friend Santa Claus can yell Ho, Ho, Ho all he wants, but the truth of the matter is he is going to have to go against the transcript. But the best situation, Mr. Speaker, and the situation which I think would have been better all round, would have been to have had him before the committee.

Now, Mr. Speaker, the Honourable Member for Riel has referred to the fact that Mr. Cass-Beggs was allowed by the government to take his holidays and to go on his particular jaunt at a time when the House was dealing with this matter - when the committee was dealing with this matter, the House wasn't - and that in effect the government has to take responsibility for that course of action, and one has to question, you know, their judgment at this time in doing it. Beg pardon? Sure it's a matter of judgment. And why was that done? Was it done because the trip was necessary? Was it done because it was in the interests of the people of Manitoba? Or was it done simply to insure that the committee would not continue to meet? For, after all, what we had in that committee -- (Interjection) -- Well, now we go to the legal brain from Inkster. We adjourned the committee. You know, Mr. Speaker, I make a prediction. At 5:30, the government is going to adjourn the House. Yes siree, at 5:30, you know what's going to happen? Well, if -- oh, I see. Well I must say, Mr. Speaker, we did not adjourn the House; the chairman did. I have to indicate, Mr. Speaker, that the chairman adjourned the House. He put the motion of adjournment and, as a matter of fact, that adjournment was accepted by the chairman. Now you know, Mr. Speaker, . . .

MR. SPEAKER: Order, please. Is this part of the debate relevant to the question before us? I sincerely request the honourable member -- order, please. I sincerely request the honourable member to apply himself to the amendment to the resolution. The Honourable Leader of the Opposition.

MR. SPIVAK: Well, Mr. Speaker, the Minister of Mines and Natural Resources continues to baffle us with his legal wit and his legal manoeuvring, but, Mr. Speaker, this has been in the example that we have just had, in the discussion that's taken place in this House, which should not have taken place, a matter of a kind of double talk and double dealing that the government has done with respect to Hydro. They have manoeuvred in every way possible to prevent the kind of discussion and debate that's occurred, and somehow, Mr. Speaker, somebody who prepared this resolution didn't realize the consequences of what they were doing when they said originally, "to hold public hearings with respect to". No. It's pretty obvious, Mr. Speaker, that someone who prepared this - and either it was signed by the Premier or was signed on his behalf - did not fully explain to the Premier the implications of this, and then when he realized that public hearings were to be held, he had it struck out. He had it struck out. He had it struck out.

Now, why did he have it struck out? Well, Mr. Speaker, some time ago, the Minister of Mines and Natural Resources talked about having a verdict and then having a trial, and he made reference to what was taking place with respect to procedures in Southern Indian Lake. He was in opposition at that time and we were the government. He basically said what was taking place was a verdict first and a trial afterwards, and he has already said in the House that with respect to what has taken place we have really had no verdict yet, we are still in the process of having a trial. But, Mr. Speaker, the interim license has been granted, the work has already been commenced, and the first stage of a \$50 million contract has been awarded,

(MR. SPIVAK cont'd) and the Minister of Mines and Natural Resources has indicated that in time we are going to have an opportunity to have a public hearing as to the pattern of regulation, in a very limited way. And that will be our trial, and afterwards we are going to have a verdict.

Now what he basically is saying is that we are going to hang the person, we are going to hang him from the tree, but we are not going to cut the rope, then we'll determine after our trial at what point we think he was really guilty, and if we decide that he should be sentenced two weeks from today then in two weeks from today we will then cut the rope. Now, in effect, that's what we are really saying, because the verdict itself has been given; the government's proceeding; the regulations or the hearings are the trial afterwards; and, Mr. Speaker, this is absolutely inconsistent with the language, with the tenor and with the attempt of the government to try and express itself as an open government that was prepared, first to listen to people, and then to react. Mr. Speaker, they were not prepared to do that, and when the Minister of Mines and Natural Resources stands up and says this was an administrative decision that we undertook and therefore, having undertaken that, that's a policy decision not to be debated, then I ask, Mr. Speaker, why it was necessary for the Task Force report to have been discussed by the Chairman in the Standing Committee. He's the one who discussed it.

Now the government can take credit in the fact that they produced the Task Force report, but if the Task Force report was not to be discussed, if it was not to be discussed -- my God, you forgot what the Minister of Mines and Natural Resources suggested. He said the only thing before the Committee was the annual report of Hydro. Before the committee was the Task Force report which the chairman introduced, which he discussed, which led to the discussions on our part and ultimately to the statements by Mr. Campbell and others. Now if the Task Force was discussed by the chairman of Hydro, the Task Force was not discussed in this House. It was discussed in the Committee. It was introduced by Hydro, and if there was no intention of the government of using the committee to discuss Hydro policy, then there was no point to it, and the reason that becomes important is because, again, the legalistic mind of the Honourable Minister of Mines and Natural Resources says that the committee was supposed to only deal with the Hydro report, and I suggest to you that the Hydro report was completed in March 1970 and the Task Force report was in the fall of '70, and we were discussing something that was six months after that report and it was introduced by the Chairman and therefore was actually brought forward by the government in the committee itself. And therefore to be chastised that we ourselves have been responsible for . . .

MR. SPEAKER: Order, please. I would like to suggest that earlier today I indicated I would rely upon the integrity of all honourable members in respect to discussing what occurred or transpired in the committee, and I again want to appeal to the honourable member, while he is debating the point, to remember this, because I am certainly not aware of all that transpired in that committee but I am sure the honourable member is, and I know that he will co-operate with the Chair. The Honourable Leader of the Opposition.

MR. SPIVAK: Mr. Speaker, it wasn't my intention to deal with that but only to deal with the particular item mentioned by the House Leader when he indicated that all that committee was charged with was dealing with the report -- when was this? Today. Yes . . .

MR. SPEAKER: Order, please.

MR. SPIVAK: Yes, well maybe -- Mr. Speaker, I suggest that this is what the House Leader suggested. -- (Interjection) -- No, Mr. Speaker. No, no, Mr. Speaker, you did not make any reference to the Task Force report, I agree. But you did say that the matter to be discussed in the committee was the report of Hydro, and the report of Hydro was completed in March of 1970 and that's what we should be dealing with, but the chairman brought in the Task Force report in his presentation and therefore opened the committee to a discussion of something that took place in September of '70.

MR. SPEAKER: Order please. The hour is 5:30. Does the House wish to adjourn? The hour being 5:30, the House is now adjourned until 8:00 p.m. tonight (Tuesday).