

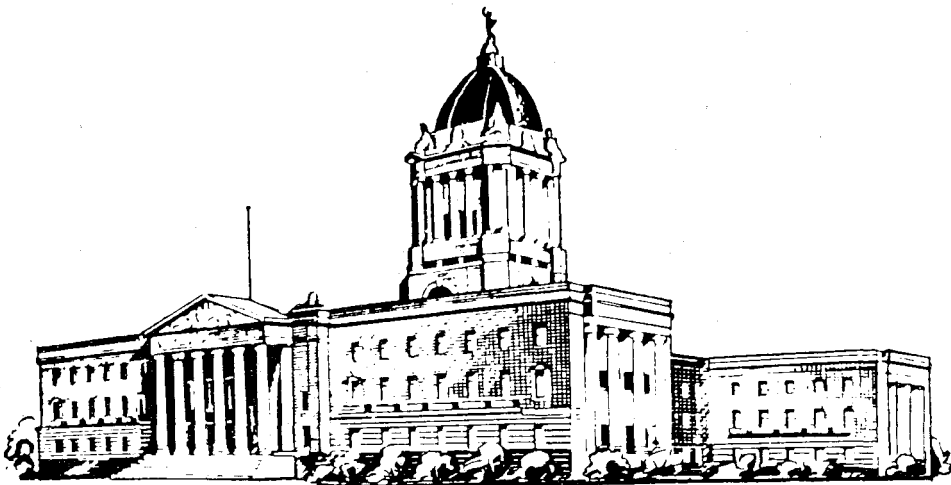


Legislative Assembly of Manitoba

**DEBATES**  
and  
**PROCEEDINGS**

Speaker

The Honourable Peter Fox



Vol. XX No. 105 10:00 a.m., Thursday, May 17th, 1973.

Fifth Session, 29th Legislature.

Electoral Division	Name	Political Affiliation	Address	Postal Code
ARTHUR	J. Douglas Watt	P.C.	Reston, Man.	R0M 1X0
ASSINIBOIA	Steve Patrick	Lib.	10 Red Robin Pl., Winnipeg	R3J 3L8
BIRTLE-RUSSELL	Harry E. Graham	P.C.	Binscarth, Man.	R0J 0G0
BRANDON EAST	Hon. Leonard S. Evans	NDP	Legislative Bldg., Winnipeg	R3C 0V8
BRANDON WEST	Edward McGILL	P.C.	2228 Princess Ave., Brandon	R7B 0H9
BURROWS	Hon. Ben Hanuschak	NDP	Legislative Bldg., Winnipeg	R3C 0V8
CHARLESWOOD	Arthur Moug	P.C.	29 Willow Ridge Rd., Winnipeg	R3R 1L5
CHURCHILL	VACANT			
CRESCENTWOOD	Cy Gonick	NDP	1140 Grosvenor Ave., Winnipeg	R3M 0N8
DAUPHIN	Hon. Peter Burtniak	NDP	Legislative Bldg., Winnipeg	R3C 0V8
ELMWOOD	Hon. Russell J. Doern	NDP	Legislative Bldg., Winnipeg	R3C 0V8
EMERSON	Gabriel Girard	P.C.	25 Lomond Blvd., Winnipeg	R2J 1Y1
FLIN FLON	Thomas Barrow	NDP	Cranberry Portage, Man.	R0B 0H0
FORT GARRY	L.R. (Bud) Sherman	P.C.	86 Niagara St., Winnipeg	R3N 0T9
FORT ROUGE	Mrs. Inez Trueman	P.C.	179 Oxford St., Winnipeg	R3M 3H8
GIMLI	John C. Gottfried	NDP	44 - 3rd Ave., Gimli, Man.	R0C 1B0
GLADSTONE	James R. Ferguson	P.C.	Gladstone, Man.	R0J 0T0
INKSTER	Hon. Sidney Green, Q.C.	NDP	Legislative Bldg., Winnipeg	R3C 0V8
KILDONAN	Hon. Peter Fox	NDP	Legislative Bldg., Winnipeg	R3C 0VB
LAC DU BONNET	Hon. Sam Uskiw	NDP	Legislative Bldg., Winnipeg	R3C 0V8
LAKESIDE	Harry J. Enns	P.C.	Woodlands, Man.	R0C 3H0
LA VERENDRYE	Leonard A. Barkman	Lib.	Box 130, Steinbach, Man.	R0A 2A0
LOGAN	William Jenkins	NDP	1294 Erin St., Winnipeg	R3E 2S6
MINNEDOSA	David Blake	P.C.	Minnedosa, Man.	R0J 1E0
MORRIS	Warner H. Jorgenson	P.C.	Morris, Man.	R0G 1K0
OSBORNE	Ian Turnbull	NDP	284 Wildwood Pk., Winnipeg	R3T 0E5
PEMBINA	George Henderson	P.C.	Manitou, Man.	R0G 1G0
POINT DOUGLAS	Donald Malinowski	NDP	361 Burrows Ave., Winnipeg	R2W 1Z9
PORTAGE LA PRAIRIE	Gordon E. Johnston	Lib.	506 St. George Ave., Portage la Prairie, Man.	R1N 0T5
RADISSON	Harry Shafransky	NDP	4 Maplehurst Rd., Winnipeg	R2J 1WB
RHINELAND	Jacob M. Froese	S.C.	Box 40, Winkler, Man.	R0G 2X0
RIEL	Donald W. Craik	P.C.	2 River Lane, Winnipeg	R2M 3Y8
RIVER HEIGHTS	Sidney Spivak, Q.C.	P.C.	Legislative Bldg., Winnipeg	R3C 0VB
ROBLIN	J. Wally McKenzie	P.C.	Inglis, Man.	R0J 0X0
ROCK LAKE	Henry J. Einarson	P.C.	Glenboro, Man.	R0K 0X0
ROSSMERE	Hon. Ed. Schreyer	NDP	Legislative Bldg., Winnipeg	R3C 0VB
RUPERTSLAND	Jean Allard	Ind.	Legislative Bldg., Winnipeg	R3C 0VB
ST. BONIFACE	Hon. Laurent L. Desjardins	NDP	Legislative Bldg., Winnipeg	R3C 0V8
ST. GEORGE	Bill Uruski	NDP	Box 580, Arborg, Man.	R0C 0A0
ST. JAMES	Hon. A.H. Mackling, Q.C.	NDP	Legislative Bldg., Winnipeg	R3C 0V8
ST. JOHNS	Saul Cherniack, Q.C.	NDP	333 St. John's Ave., Winnipeg	R2W 1H2
ST. MATTHEWS	Wally Johansson	NDP	418 Home St., Winnipeg	R3G 1X4
ST. VITAL	D.J. Walding	NDP	31 Lochinvar Ave., Winnipeg	R2J 1R3
STE. ROSE	A.R. (Pete) Adam	NDP	Ste. Rose du Lac, Man.	R0L 1S0
SELKIRK	Hon. Howard Pawley	NDP	Legislative Bldg., Winnipeg	R3C 0V8
SEVEN OAKS	Hon. Saul A. Miller	NDP	Legislative Bldg., Winnipeg	R3C 0VB
SOURIS KILLARNEY	Earl McKellar	P.C.	Nesbitt, Man.	R0K 1P0
SPRINGFIELD	Hon. René E. Toupin	NDP	Legislative Bldg., Winnipeg	R3C 0V8
STURGEON CREEK	J. Frank Johnston	P.C.	310 Overdale St., Winnipeg	R3J 2G3
SWAN RIVER	James H. Bilton	P.C.	Swan River, Man.	R0L 1Z0
THE PAS	Hon. Ron McBryde	NDP	Legislative Bldg., Winnipeg	R3C 0VB
THOMPSON	Joseph P. Borowski	Ind. NDP	La Salle, Man.	R0G 1B0
TRANSCONA	Hon. Russell Paulley	NDP	Legislative Bldg., Winnipeg	R3C0V8
VIRDEN	Morris McGregor	P.C.	Kenton, Man.	R0M 0Z0
WELLINGTON	Philip M. Petursson	NDP	681 Banning St., Winnipeg	R3G 2G3
WINNIPEG CENTRE	J.R. (Bud) Boyce	NDP	777 Winnipeg Ave., Winnipeg	R3E 0R5
WOLSELEY	I.H. Asper	Lib.	Legislative Bldg., Winnipeg	R3C 0V8

THE LEGISLATIVE ASSEMBLY OF MANITOBA  
10:00 o'clock, Thursday, May 17, 1973

Opening Prayer by Mr. Speaker.

INTRODUCTION OF GUESTS

MR. SPEAKER: Before we proceed I should like to direct the attention of the honourable members to the gallery where we have 25 students of Grades 4 and 5 standing of the Easter-ville School. These students are under the direction of Mr. Mohsin Hussain. This school is located in the constituency of the Honourable Member for The Pas, the Minister of Northern Affairs.

On behalf of all the honourable members I welcome you here this morning.

Presenting Petitions; Reading and Receiving Petitions; Presenting Reports by Standing and Special Committees; Ministerial Statements and Tabling of Reports; The Honourable Minister of Labour.

TABLING OF REPORTS

HON. RUSSELL PAULLEY (Minister of Labour) (Transcona): Mr. Speaker, I wish to table the report of the Minimum Wage Board for 1973.

MR. SPEAKER: Any other reports or statements? Notices of Motion; Introduction of Bills; Oral Questions. The Honourable Leader of the Opposition.

ORAL QUESTION PERIOD

MR. SIDNEY SPIVAK, Q. C. (Leader of the Opposition) (River Heights): Mr. Speaker, my question is to the Minister of Labour and it may well be that it should be directed to the Minister of Industry and Commerce, in his absence he may be in a position to answer it. I wonder if he can indicate whether the government has in their possession the number of LIP programs now being undertaken in Manitoba, and whether they're in a position to assess the total number of people who will now enter the unemployment rolls as a result of the cancellation of the program for Manitoba?

MR. SPEAKER: The Honourable Minister of Labour.

MR. PAULLEY: I did have a list, Mr. Speaker, in reply to my honourable friend, of the LIP program. I'll try and dig it out for my honourable friend and take a look at it. It's my understanding that if all of the LIP programs that are presently under way in the province are done away with, there could conceivably be somewhere in the neighbourhood, and this is just an approximation, of 3,000 people affected. I don't think I could give any definitive answer to my honourable friend other than that. Because we are increasing the number of people in the employed category in the province and it might be that a considerable number of these that are in LIP programs will be absorbed. And it could also conceivably be, Mr. Speaker, there are a number that are considered as being employed in the LIP programs, a number of them may not enter into the labour force as such if the programs are abolished.

MR. SPIVAK: Yes, I wonder if the government's in a position to indicate whether there is any intention of any new programs being introduced by them which would support existing LIP programs that they would designate as socially useful . . .

MR. PAULLEY: I'm under the impression, Mr. Speaker, at the present time the answer to that would be no. A committee met I believe yesterday morning at 9 o'clock, a committee of concerned people. There were representatives of the government at the meeting in the Norquay Auditorium, and as I indicated to my honourable friend a moment or two ago, we're not sure what if any programs will be carried on and given extensions; and it's most unfortunate of course, Mr. Speaker, that because of the progressiveness of this government in creating an atmosphere where we only have four percent unemployment rate in our province that we're prejudiced against by the Federal Government.

MR. SPIVAK: Mr. Speaker, my question is to the Minister of Health and Social Development. I wonder if he's in a position to indicate to the House whether his department has made any evaluation of the LIP programs that are being carried out with respect to areas of activities in which the department are concerned and what the impact will be on the cancellation of some of those programs with respect to the general program of social services now offered by the central volunteer sector not by government?

## ORAL QUESTIONS

MR. SPEAKER: The Honourable Minister.

HON. RENE E. TOUPIN (Minister of Health and Social Development) (Springfield): Mr. Speaker, we're not in a position having not been brought in initially on a lot of these LIP programs to evaluate the workness of the program itself, but we have made certain studies pertaining to programs that have been going on say for a period of a year or so in regard to programs that tie in into the activities of the Health Services Commission and/or the Department of Health and Social Development and have made certain recommendations to the Federal Government for extension of these programs for some time to come. And they are being considered actively at this time. I've made phone calls as recent as yesterday to the Federal Minister of Health and Welfare to make sure that certain programs are given consideration insofar as LIP in regard to the Department of Health and Social Development.

MR. SPIVAK: Well I wonder if the Minister can indicate to the House whether it's the government's position that the cancellation of some of the programs that deal with the Health and Social Service Department of activity in effect will increase a burden on the community and on the government to in effect find a substitute support program?

MR. SPEAKER: Order, please. The question is getting complex, it's almost argumentative. Would the honourable member rephrase it?

MR. SPIVAK: With all due respect, Mr. Speaker, I think the question is very simple and straightforward. I wonder if the Minister is in a position to indicate whether the department has indicated to him the new programs that would have to be undertaken if some of those programs in the health and social service field were in fact cancelled, and the implication . . .

MR. SPEAKER: Order, please. Again, the question is also hypothetical.

MR. SPIVAK: Mr. Speaker, with all due respect, on a point of order. The LIP programs have been cancelled or are going to be cancelled, I don't think that makes it hypothetical. --(Interjection)-- Mr. Speaker, my impression from the Minister of Labour's statement the other day is in fact all of them are going to be cancelled.

A MEMBER: No, No.

MR. SPIVAK: Well, Mr. Speaker, I then put the question to the Minister of Health and Social Development. Is he in a position to indicate the impact that it will have if in fact the programs that are now under discussion are in fact cancelled and the manner in which the health and social services program are now being carried? --(Interjection)-- It's not hypothetical at all.

MR. TOUPIN: Well, Mr. Speaker, I believe the Minister of Labour did indicate a few minutes ago that if all LIP programs were cancelled and none of them were renewed that this would create a vacuum; and we are being penalized because we have the lowest unemployment in Canada and this is one of the criteria that the Federal Government is using. They have said that any LIP program that leads to permanent employment that they'd consider extension. I for one know after having looked at certain programs that deal indirectly with the affairs that we service directly or indirectly through the Department of Health and Social Development that this would create a vacuum, and a vacuum in some cases that would have to be filled because of services being rendered through these grants now. And this is why we've asked an extension. And even beyond that, beyond asking for an extension of LIP, we've asked that there be cost sharing for certain programs that are now under certain LIP programs.

MR. SPEAKER: The Honourable Member for Assiniboia.

MR. STEVE PATRICK (Assiniboia): Mr. Speaker, my question is to the Honourable Minister of Northern Affairs. Can he tell the House who is on the Task Force investigating the possibility of reducing the cost of air freight in northern Manitoba?

MR. SPEAKER: The Honourable Minister of Northern Affairs.

HON. RON McBRYDE (Minister of Northern Affairs) (The Pas): Mr. Speaker, the staff of my department I believe, Mines and Resources, but I'd have to get further details on that.

MR. PATRICK: A supplementary, Mr. Speaker. Are any other departments of the government involved in this Task Force?

MR. McBRYDE: I'm not positive, Mr. Speaker, I'll have to get further details on that.

MR. SPEAKER: The Honourable Leader of the Liberal Party.

MR. I. H. (Izzy) ASPER (Leader of the Liberal Party) (Wolseley): Thank you, Mr. Speaker. My question's to the Minister of Labour relating to the Minimum Wage Report that's just been tabled. Is it the government's intention to implement a ten cent per hour across-the-board minimum wage increase as recommended by the Commission?

## ORAL QUESTIONS

MR. PAULLEY: There were two or three recommendations contained within the report. Apparently my honourable friend hasn't had time to read or if he has had time he hasn't had time to digest the same, and when a decision is made, Mr. Speaker, as to any possible increase in the minimum wage as I have indicated on numerous occasions, possibly in the absence of my honourable friend, that will be revealed to the House.

MR. ASPER: Does the Minister of Labour support the concept of the minimum wage being tied to a flexible scale of rising living costs or composite wage rates and so on, as recommended in the report?

MR. PAULLEY: Sometimes it is necessary to adjust wage rates having a relationship to the cost of living.

MR. ASPER: Is it the intention of the government to introduce legislation or is it the policy of the government in any other way, through regulation or otherwise, to provide that the minimum wage be tied mandatorily and automatically to a scale, a floating scale, such as suggested in the report tabled?

MR. PAULLEY: I would suggest to my honourable friend that he be patient and await. It would be improper for me to indicate to my honourable friend as to whether or not the government intends to introduce policy legislation.

INTRODUCTION OF GUESTS

MR. SPEAKER: Before we proceed I should like to direct the attention of the honourable members to the gallery where we have 53 students of senior class of the Waubun High School. I believe this is Waubun, Minnesota, and they are under the direction of Mr. Teiken and Mrs. Lewis. On behalf of all the honourable members I welcome you here today.

Orders of the Day. The Honourable House Leader.

ORDERS OF THE DAY - ADDRESS FOR PAPERS

HON. SIDNEY GREEN, Q.C. (Minister of Mines, Resources and Environmental Management and House Leader) (Inkster): Mr. Speaker, there is an Address for Papers. I see the Honourable Member for Arthur isn't here, I wonder if it's being introduced by his colleague.

MR. SPEAKER: The Honourable Member for Swan River.

MR. JAMES H. BILTON (Swan River): Mr. Speaker, in the absence of the Honourable Member for Arthur I wonder if I may table this.

Moved by myself, seconded by the Honourable Member for Roblin THAT an humble address be voted to His Honour the Lieutenant Governor praying for copies of all correspondence between the Federal Government and the Manitoba Government regarding Water Control and Conservation on the Souris River Basin and its tributaries, Pipestone Creek; Stony Creek; Jackson Creek; Grand Creek; Gainsborough Creek, and the Antler River, for the years 1969, 1970, 1971, 1972 and 1973.

MOTION presented.

MR. SPEAKER: The Honourable House Leader.

MR. GREEN: Mr. Speaker, we have no objection to complying with this request subject to the usual qualifications concerning inter-governmental correspondence.

MR. SPEAKER: The Honourable House Leader.

MR. GREEN: Mr. Speaker, would you call Bill No. 35.

GOVERNMENT BILLS - SECOND READING - NO. 35

MR. SPEAKER: Proposed motion of the Honourable Attorney-General. The Honourable Leader of the Opposition.

MR. SPIVAK: Mr. Speaker, I'd like the indulgence of the House to have this matter stand.

A MEMBER: No.

MR. SPIVAK: Well, Mr. Speaker, with all due respect to the House Leader, I took this matter as adjournment yesterday. I have not had the opportunity of examining it since last night. It's my intention to discuss and deal with this bill and I would like the indulgence of the House to have this matter stand.

MR. GREEN: Mr. Speaker, since the honourable member has made a qualifying statement, I would indicate to him that the House Leader of the Conservative Party has said that

## BILL 35

(MR. GREEN cont'd) . . . . the Member for Sturgeon Creek has well put the position of the Conservative Party with respect to the bill and that they are going to let it proceed and I am not giving the indulgence of myself.

MR. SPEAKER: Order, please. I can only indicate to the House that indulgence is consent of all members. If I do not have that then the bill must proceed either to be debated or be voted. The Honourable Leader of the Opposition.

MR. SPIVAK: Mr. Speaker, I stand in this House as Leader of the Opposition. --(Interjection)-- Oh yes, Mr. Speaker, I stand in this House as Leader of the Opposition with certain rights and certain courtesies. I respect the fact that we are in speed-up but the actions of the House Leader are intolerable, are arrogant and dictatorial. And, Mr. Speaker, I suggest I am not in a position to deal with this bill for the simple reason that I have not had the opportunity of reviewing it.

My purpose in adjourning this bill came about as a result of the action taken by the House Leader with respect to the Member for Sturgeon Creek who yesterday spoke on five or six bills, all of which were proceeded with pretty expeditiously, and asked that this matter stand to be given the opportunity of reviewing it, recognizing, Mr. Speaker, that it had only been introduced the night before for second reading. And to be put in this intolerable position by the House Leader at a time in which, Mr. Speaker, the actions of our party have been responsible in trying to carry out expeditiously the affairs of this House is an action of sheer arrogance, sheer hypocrisy and shows the degree to which the government are prepared to exercise their power in a very discriminatory way.

Mr. Speaker, the rules of the House can be utilized by both sides and we will use them if we're not going to be given the privilege that are accorded in a normal way.

MR. SPEAKER: Order, please. I am putting the bill unless it's going to be debated.

QUESTION put and motion carried.

MR. SPIVAK: Ayes and nays, Mr. Speaker.

MR. SPEAKER: Call in the members.

A STANDING VOTE was taken the result being as follows:

YEAS

Messrs. Adam	G. Johnston
Allard	Jorgenson
Asper	McBryde
Barrow	McGill
Bilton	McGregor
Blake	McKellar
Borowski	McKenzie
Boyce	Malinowski
Burtniak	Miller
Cherniack	Paulley
Craik	Pawley
Desjardins	Petursson
Doern	Schreyer
Einarson	Sherman
Ferguson	Spivak
Gottfried	Toupin
Graham	Turnbull
Green	Uruski
Hanuschak	Walding
Henderson	Mrs. Trueman
Jenkins	
Johannson	

NAYS: None.

MR. CLERK: Yeas 42; Nays zero.

MR. SPEAKER: In my opinion the yeas have it, declare the motion carried.  
The Honourable House Leader.

## BILL 35

MR. GREEN: Mr. Speaker, I believe I have the --(Interjection)-- I believe I am raising a point of order, that is the next bill.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SPIVAK: Mr. Speaker, I rise on a point of order with respect to the vote that's just been taken, to indicate, Mr. Speaker, to you and the members of the House--Mr. Speaker, to indicate to you and to the House that the vote that was called, Mr. Speaker, by this side was called not against the principle of the bill but rather, Mr. Speaker, of the actions of the House Leader.

MR. SPEAKER: Order please. Order please. I would suggest the honourable member cite the point of order he wishes. If he has a complaint or a grievance he may indicate it but he'll have to indicate what rule of procedure has been broken.

MR. SPIVAK: Mr. Speaker, I have been a member of this House and on many occasions individuals have been in a position to state a point of order and explain a course of action. By this, Mr. Speaker, I only ask that we be allowed on this side the same rights as the members on the opposite side. Mr. Speaker, I want to indicate that our vote in support of the bill came as a result of the support of the bill. The request for a vote on the bill came directly as a result, Mr. Speaker, of the actions of the House Leader. The members of this House do not sit here by the sufferance of the House Leader of . . .

MR. SPEAKER: Order please. Order please. That is not a point of order. The Honourable House Leader.

POINT OF PRIVILEGE

MR. GREEN: Mr. Speaker, I rise on a point of privilege. My character, my conduct of the House has been attacked. I've sat here and not paid much attention to it because I believe that it has had no impact. Each political person in the House has a duty to conduct himself as he feels responsible within the rules. There have been various things that have happened in the House that I have not commented on, I have not referred to them as unco-operation, I have not referred to them as filibustering, I have not referred to them as trying to deliberately delay the proceedings of the House. I could have had all kinds of uncomplimentary things to say about the fact that Capital Supply, for instance, which usually goes through with one or two speeches from the party spokesmen has resulted in a great number of speeches. I could have something to say about the fact that concurrences which generally go through four or five an evening have gone through one or two a day. I've not said anything because despite what I may think about that happening each individual member has the right to proceed as he has proceeded. I have a duty to get bills to committee; I have not pushed those bills; I have proceeded in the manner in which the rules of the House allow. And if the rules of the House allow such manner then I suggest that it is not incumbent upon the other side to say that somebody who is dealing with the rule in his judgment as he sees fit is autocratic or they sit here by sufferance of the House Leader of the New Democratic Party. They, as we, sit here by the sufferance of the people of the Province of Manitoba and they will say whether they consider that conduct to be acceptable or not, and I hope that they will be given an early opportunity of saying so.

MR. SPEAKER: The Honourable Member for Morris.

MR. WARNER H. JORGENSEN (Morris): Mr. Speaker, on the question of privilege. Notwithstanding the words of the House Leader, his actions speak for themselves, and what he has done is an indication of things to come for this province if this government is re-elected.

MR. SPEAKER: The Honourable Leader of the Liberal Party.

MR. ASPER: Thank you, Mr. Speaker. On the question of privilege. The Leader of the House has now suggested through innuendo that there has been political devices and techniques used in this Chamber which amount to . . .

MR. SPEAKER: Order please.

MR. ASPER: . . . which amount to . . .

MR. SPEAKER: Order please.

MR. ASPER: . . . amount to . . .

MR. SPEAKER: Order please. Let me first of all set this much in context. I will listen to matters of privilege; I will listen to matters of privilege but I think they have to be done in the parliamentary sense. While a person is describing what is taking place he should not impute anything to anyone else in this Chamber. The innuendos that may appear to

## POINT OF PRIVILEGE

(MR. SPEAKER cont'd) . . . . someone else are a matter of --(Interjection)-- Would this House like to have the Chairman chair the proceedings? May I have the co-operation of the honourable members. So therefore I again repeat, I would like to have all honourable members deal with each other as if they are all honourable members, which I assume they are, and let's keep the level of debate at that level.

The Honourable Leader of the Liberal Party.

MR. ASPER: Mr. Speaker, I think it's reasonable for the parties because of what's been said to explain their respective positions. Mr. Speaker, that latitude has been given, that latitude has been given to the Leader of the Opposition, it's been given to the House Leader and the Liberal Party now wishes to state its position.

MR. SPEAKER: Order please. --(Interjection)-- Order please. Order please. I will listen to matters of privilege but I cannot adjudicate in advance as to what they are. But if an honourable member states what his intentions are in advance then I must indicate to him that I may have to rule it out of order. The Honourable Leader of the Liberal Party is stating he is going to state a position and not a matter of privilege. I must rule it out of order. Order please. I believe that we are all a little aggrieved at the moment but I think the Chair would like to have the courtesy of being able to state what he wants to state without echoes so that I have to even concentrate twice as hard to hear what I am saying. The Honourable Leader of the Liberal Party. On a matter of privilege.

MR. ASPER: Yes, Mr. Speaker. The matter of privilege is that the suggestion is made that the Opposition is debating by way of filibuster. The words used in this Chamber a few moments ago implied or stated that there were delaying tactics which the House Leader accepted. Mr. Speaker, Capital Supply he suggests was long debated, and the reason it was long debated is we do not agree with the purposes for which the money is being spent. That's our right. Mr. Speaker, concurrence motions - the unusual characteristic of concurrence motions being debated arises because the very system under which this House operates is under severe review in our minds. The fact that millions, hundreds of millions of dollars, Sir, are spent without Estimate debate. We now . . . --(Interjection)--

MR. SPEAKER: Order please. Order please. Order please. ORDER! Would all members co-operate when I ask for order please. The honourable member has not, at least to my knowledge, stated a matter of privilege. The Honourable Leader of the Opposition wish to . . .

MR. SPIVAK: On the matter of privilege, Mr. Speaker. The question of co-operation between both sides of the House is always a serious concern because our House operates on that basis. Without co-operation there cannot be any effective way in which we can deal with the affairs of this province. Mr. Speaker, there has been an attempt on our part to co-operate and nothing in the course of our actions can in any way suggest that there has been nothing other than a degree of co-operation which I think has been consistent with other periods of time and other sittings of the House during this present session and in other previous governments - in other previous sittings. But, Mr. Speaker, the rules of the House can be exercised to their limits to be taken advantage of by one side or the other; and, Mr. Speaker, I believe it can be suggested - and I use that terminology, it can be "suggested" - that in the situation that we've just been through, the rules of the House have been extended to their limits in what I would consider an unnecessary fashion. Mr. Speaker, if that was to continue the members on this side would then exercise their rights to use the rules accordingly and I believe that that would really affect the degree of co-operation that's necessary to be able to try and follow through with the work that we have before us. Mr. Speaker, there's been a concern on our part and there still remains that concern as to who really runs the New Democratic Party, and that has not been clearly demonstrated here.

MR. SPEAKER: Order please. Order please. Order please. --(Interjection)-- The Honourable First Minister.

HON. EDWARD SCHREYER (Premier) (Rossmere): Yes. My honourable friend couldn't help but say something which now does give me a point of personal privilege, a valid one, Sir. I have sat quietly through this exchange because I realize the difficulty for you, Sir, being put in virtually an impossible situation. Honourable members opposite rise after a vote has been taken, completely ignoring Citation 198 and 199 of Beauséne as though it never existed, and Citation 200, and you, Sir, are in an impossible position. Never in a parliamentary system is it to be allowed that persons can rise to explain their vote after a vote has been taken unless



## POINT OF PRIVILEGE

(MR. SCHREYER cont'd) . . . . they be paired and then they can only explain that they have been paired, had they voted they would have voted one way or the other. But one honourable gentleman starts the process. If one does it, the Leader of the Liberal Party is perfectly justified in insisting on equal treatment and so it goes, and it could go round the entire Chamber front, second and third row. Mr. Speaker, I make no further mention of that because that episode has already taken place, but surely we can guard against it ever being deemed to be a precedent for that happening again.

I say to my honourable friend that when he starts to make disparaging remarks as to who is exercising properly the role and responsibility to which he has been elected then I can certainly pay him an equal compliment; and that I suppose could cause yet another exchange of barbs and insults which would make it again difficult for you, Sir. In the meantime, what we do know is that our system demands co-operation. Yes, it also demands that if a spokesman for a party has said - and I believe Hansard will show this; last night's Hansard will show that this House was told that an honourable member from the other side having spoken was speaking for the position of that party. And then we have the spectacle this morning of yet another speaker who in complete ignoring again of the statement of last evening that honourable so and so was speaking for the party, wishes to speak again and then when it comes to the vote on the principle votes for it.

Mr. Speaker, we have cases in the past in parliament where both sides hold genuine but passionately opposite positions on a given proposed piece of legislation; division bells have rung for hours on occasion and when the vote was taken the vote was divided as between one side of the House and the other. In this case clearly the principle of the bill was acceptable to all, but it was obviously some other reason than that was prolonging and causing this great anxiety to speak. But that's the honourable member's right, I quite admit. But it is not in keeping with the spirit of the way parliament functions. When we are advised by one side that that is the position of the party one assumes that that's what it is.

MR. SPEAKER: I thank all the honourable members for their contribution. I can only indicate that the ventilation of some of these things is sometimes necessary but the only way this House will proceed is through co-operation and through consensus and I would suggest that the ones who have had the greater amount of experience should be the ones to show the leadership and the guidance, including those who are the leaders, and I appreciate their efforts to help me because I agree it is a difficult task --(Interjection)-- Order please. Order please. I am discussing the matter that was before the House and I'm indicating in respect to a judgment and ruling on it. I wish the honourable members would realize that I too am entitled to the courtesy when I'm on the floor that I should not be interrupted. The honourable member shall be recognized in a moment. And as I said, again wish to thank all the honourable members, I appreciate their co-operation and without their co-operation my job would be impossible.

We are now on oral questions. The Honourable Member for Riel.

MR. DONALD W. CRAIK (Riel): Well, Mr. . . .

MR. SPEAKER: Oh sorry, on Bill 35.

MR. CRAIK: Mr. Speaker, I want to speak on the matter of privilege based on what the First Minister said regarding the approval of principle of a bill at second reading and the matter, Mr. Speaker . . .

MR. SPEAKER: Order please.

MR. CRAIK: I didn't raise this matter, the matter is raised now because of a statement made by the First Minister. --(Interjection)-- No, Mr. Speaker. I'm rising on the point of privilege respecting the statement made by the First Minister that when a person stands in the back row, or any other place, whether it's a backbencher, for the government . . .

MR. SPEAKER: Order, please. Order, please. Point of order takes precedence. The Honourable First Minister state his point of order.

POINT OF ORDER

MR. SCHREYER: Yes, Mr. Speaker. My point of order is that a point of privilege as I understand the rules has to do with a point of privilege of an honourable member who has had his motives impugned or whatever, and it is not clear, Sir, just what the point of privilege of the Honourable Member for Riel is. Is it a point of personal privilege? I wonder if Hansard will show that anything I said, in any way, impinges on my honourable friend, the honourable member. So what is the point of privilege?

## POINT OF ORDER

MR. CRAIK: Mr. Speaker, it's either, it's a point of House privilege, or probably more properly a point of order then is correct. But when a Bill is presented and you're forced to a vote, you're forced unwillingly to a vote, Mr. Speaker, unwillingly to a vote, you then decide on that Bill as to whether there is more good or more bad in it. And, Mr. Speaker, that's exactly what happened in this House. The vote that we were forced to take was a distortion, Mr. Speaker, . . .

MR. SPEAKER: Order, please. The honourable member is not indicating a matter of privilege nor is he indicating a point of order.

MR. CRAIK: Mr. Speaker, I say that it's a matter of House privilege then or a matter of a point of order because it is based on the statement by the First Minister that if there was 42-0 in favour of the Bill obviously there was nothing to debate about. That was in essence what he said.

MR. SPEAKER: Order, please. Let me for the edification of myself as well as the honourable members, indicate what a point of order is and what a matter of privilege is. Points of order are questions raised with the view of calling attention to any departure from the standing orders or the customary modes of proceeding in debate or in the conduct of legislative business and may be raised at any time by any member whether he has previously spoken or not. Matters of privilege. Members sometimes raise so-called questions of privilege on matters which should be dealt with as personal explanation or corrections either in the debates or the proceedings of the House. A question of privilege ought rarely to come up in the Legislature. It should be dealt with by a motion giving the House the power to impose a reparation or apply a remedy. There are privileges of the House as well as of members individually. Willful disobedience to orders and rules of parliament in the exercise of its constitutional functions, insults and obstructions during debate are breaches of the privileges of the House. Libels upon members and aspersions upon them in relation to parliament and interference of any kind with their official duties are breaches of the privileges of the members. But a dispute arising between two members as to allegation of facts does not fulfill the condition of parliamentary privilege. May we proceed. The Honourable House Leader.

MR. GREEN: Bill No. 11, Mr. Speaker.

BILL NO. 11

MR. SPEAKER: Proposed motion of the Honourable Minister of Finance. The Honourable Member for Birtle-Russell.

MR. HARRY E. GRAHAM (Birtle-Russell): Thank you, Mr. Speaker. Mr. Speaker, I sincerely hope that members on this side of the House will have ample opportunity to discuss the subject matter of this particular bill, Bill No. 11, which was introduced the day before yesterday, got second reading yesterday and in order to expedite the passage of this bill we find the Minister of Finance provided us with a bunch of notes which he entitles "a comparison of the following facts."

Mr. Speaker, I have not yet received all the requests for information that are necessary for a bill of this type cause time is very short. Furthermore, when we find that the notes that the Minister of Finance gives us don't necessarily say what he intended them to say it causes a little further concern. Either there's been a mistake in the typing of the bill or there's been a mistake in his notes, but we find that what he says - for instance, he says in one section, Section 7 is the same as Section 6 of the old Act, we find in fact it is not the same. We find there are some very important omissions; omissions that I feel probably will have to be corrected by amendment because the way the Bill presently reads, Mr. Speaker, it is most distressing, most alarming because really Bill No. 11 is sort of a secondary Capital Supply Bill. It's a sort of Capital Supply because it's dealing with funds of this province that can be shuffled in and out of this sort of safety valve. Money can go in and out of this fund at any time by the Minister and the Lieutenant-Governor, but the one thing that he missed or left out is the safety valve that existed in the old legislation, Mr. Speaker, and I want to read a particular paragraph out of the old legislation. And it says, "Expenditures to be charged to the reserve. Money expended under this Act shall be charged to the reserve and the due application of all money so expended shall be duly accounted for." -- And the due application of all money so expended shall be duly accounted for. And the Minister of Finance in the drafting of the new bill has conveniently left out the accountability and yet he tells us in his explanatory notes that it's the same as the previous section.

## BILL 11

(MR. GRAHAM cont'd)

I'm sure that it's quite obviously a slip of the pen, because if it isn't a slip of the pen, Mr. Speaker, then the intent of this government has to be well known.

Really, Mr. Speaker, Bill No. 11 is improperly named. I would prefer to refer to it as the NDP Slush Fund and General Elections Expense Money. Because it gives government the chance to move money in and out, any surpluses at the end of the year, that at any other time - they don't even have to wait till the end of the year and transfer it from consolidated - but at any other time they have the authority to add additional moneys to this account. And I suggest to you, Mr. Speaker, that the general intent of an Emergency Fund Act for the Province of Manitoba is good, but we find something different in their definition this time and the purpose.

In the Act it says, the purpose and intent of this Act is to provide insurance against future loss of revenue. I can't particularly see what the Minister of Finance means when he says that this Act is going to provide insurance against future loss of revenue. That's the purpose of the Act. Seems rather vague to me. I'm sure that other members in this Chamber are going to want to look at this Bill in great detail because the explanations that were given by the Minister of Finance certainly don't cover all of the veiled purposes that could be applicable if such a fund is established.

There's another section in the Act, Mr. Speaker, that deals with loans to municipalities; loans that can be made without going through the regular municipal processes. The Municipal Board doesn't have to be consulted on many things anymore. Maybe we should be abolishing the Municipal Board. I'm not too sure. The Minister never gave any explanations on that when he introduced the bill for second reading, but there's a section that says, "Where a municipality, public body, corporation or other person is required to receive authorization or approval from The Municipal Board before borrowing or expending moneys, if moneys are loaned in advance to the municipality, the Lieutenant-Governor may exempt the municipality, public body, corporation or other person from obtaining that authorization." It looks to me, Mr. Speaker, as though the Cabinet is now going to assume the position of the Municipal Board. They're going to have that authority to approve municipal loans, loans that may or may not be beneficial to a municipal corporation. I think that anybody that goes back through history and looks at the situation that occurred in the late '20s and early '30s in the Province of Manitoba where municipal corporations were advised and even had the authority for capital borrowing, that the end result was that capital borrowing was disadvantageous to the municipal corporations. So there is a possibility that the ease of capital funds available to a municipal corporation, without the due regulatory process of examination by a third party, where people have the right to express their views and all sides can be heard, may or may not be in the best interests of that corporation.

Mr. Speaker, I don't profess to stand up here and express the views of the Conservative Party on this particular bill. We've only had the bill for two days. I was the one who stood up and adjourned it when the Minister gave second reading. I certainly haven't had the opportunity to thoroughly examine it. I hope that we will be given that opportunity for detailed examination, for the opportunity to seek outside advice and consultation, and I sincerely hope that this bill doesn't receive the same treatment as the previous one.

INTRODUCTION OF GUESTS

MR. DEPUTY SPEAKER: Order, please. I wonder before I recognize anybody if I could have the indulgence of the House. I'd like to draw the attention of the honourable members to the gallery where we have 30 students of St. Anne's Mission School in North Dakota. These students are in Grade 8 and are under the direction of Sister Judith and they are guests of Mr. Speaker. On behalf of all the honourable members of the Manitoba Legislative Assembly I bid you welcome.

BILL 11 (Cont'd)

MR. DEPUTY SPEAKER: The Honourable Minister of Finance.

MR. SAUL CHERNIACK, Q.C. (Minister of Finance) (St. Johns): Mr. Speaker, may I ask a question of the honourable member. He said that my notes say that Section 7 of the new and Section 6 of the old are the same and he says that that is an incorrect statement. The only difference I see is the word 'Minister' is used in Section 7 and 'Minister of Finance' in

## BILL 11

(MR. CHERNIACK cont'd) . . . . Section 6. Could he therefore please justify his statement that the note is incorrect. May I elaborate if the honourable member would like me to. That in the new Bill there is a Section, and we'll not refer to the number then, "the Minister may pay out of the consolidated fund any and all moneys authorized to be expended under this Act." Under the old Bill it says, "The Minister of Finance may pay out of the consolidated fund any and all moneys authorized to be expended under this Act." In what way other than the words 'of Finance' is my statement to the House incorrect.

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

MR. GRAHAM: Well, Mr. Speaker, in answer to the Minister, I may have in error referred Section 7 to Section 7, but at the same time I would hope that the point that I brought forward to the Minister where I suggested there will be an amendment, I hope there will be an amendment, I hope the Minister realizes that this must be an error or something and he would be . . .

MR. CHERNIACK: Well it's your error not mine.

MR. GRAHAM: . . . I hoped the Minister would show some indication that he would be willing to bring forward an amendment to point out the very fact that I pointed out where it said, "and due application of all money so expended shall be duly accounted for." I hope that he will entertain an amendment to include that next.

MR. DEPUTY SPEAKER: The Honourable Minister of Finance.

MR. CHERNIACK: Mr. Speaker, then just a further question. Will the honourable member now agree that he was in error in stating that the notes which I distributed were wrong? Will he now agree that my statement that Section 7 is the same as Section 6 is a correct statement?

MR. GRAHAM: Mr. Speaker, the Minister of Finance already pointed out to me where it was different.

MR. CHERNIACK: Oh, the word "of Finance"? Well that's nice.

MR. DEPUTY SPEAKER: The Honourable Leader of the Liberal Party.

MR. ASPER: Mr. Speaker, I move, seconded by the Honourable Member from Thompson that debate on the bill be adjourned.

HOUSE agreed.

MOTION presented and carried.

MR. DEPUTY SPEAKER: The Honourable Acting House Leader.

MR. PAULLEY: Mr. Speaker, would you kindly call Bill 53.

BILL NO. 53

MR. DEPUTY SPEAKER: Proposed motion of the Honourable Minister of Finance.

MR. PAULLEY: No, the . . .

MR. DEPUTY SPEAKER: The Honourable Minister of Municipal Affairs.

MR. PAULLEY: That's right.

HON. HOWARD R. PAWLEY (Minister of Municipal Affairs) (Selkirk) presented Bill No. 53, an Act to amend an Act to amend The School Tax Reduction Act, for second reading.

MOTION presented.

MR. DEPUTY SPEAKER: The Honourable Minister of Municipal Affairs.

MR. PAWLEY: Mr. Speaker, this bill is necessary in order to insure that a few remaining loose ends carried over from the 1972 program under the School Tax Reduction Act may be cleared up. The 1972 amendments to this statute provided that the Act would be repealed on March 31st, 1973. There are some special cases concerning which sufficient details on which to base disbursements was not available at the end of March. In addition, there are some assessments and taxation procedures that deal retroactively with the obligation of the property owner to pay portions of the 1972 taxes. In order to deal fairly with all concerned it is necessary that the authority of School Tax Reduction Act be extended beyond March 31st for the purpose of dealing with these unusual situations. So it's a bill to tie up loose ends, it's a housekeeping bill in its entirety, Mr. Speaker.

MR. DEPUTY SPEAKER: The Honourable Member for Souris-Killarney.

MR. EARL McKELLAR (Souris-Killarney): Mr. Speaker, I move, seconded by the Honourable Member for Swan River, the debate be adjourned.

MOTION presented and carried.

## BILL 53

MR. DEPUTY SPEAKER: The Honourable House Leader.

BILL NO. 5

MR. PAULLEY: Mr. Speaker, I notice that Bill No. 5 is standing in the name of the Honourable Member for Rhineland. He is not here. I'm wondering if any other honourable member would -- Bill No. 5, The Personal Property Security Act--I'm wondering if any other honourable member would like to make a contribution on that Act and then let it revert to the Honourable Member for Rhineland.

MR. BILTON: Mr. Speaker, for your information and for the information of the House, Mr. Froese is unfortunately away this morning but he did say he'd be back before noon.

MR. PAULLEY: Well what I'm suggesting, Mr. Speaker, in all deference to my friend the Member for Swan River, I indicated that the bill would stand in the name of the honourable member.

MR. DEPUTY SPEAKER: The Honourable Leader of the Liberal Party.

MR. ASPER: Thank you, Mr. Speaker. I only want to make a number of brief comments and state at the beginning that the position of the Liberal Party has been for a long time to encourage legislation regarding the registration of a broader section of our personal property security and ownership document than is presently permitted under chattel mortgage and general assignment of book debt legislation. We congratulate the government for drafting the bill, and I might say that my recollection of this is that the first suggestion of this legislation I think was contained in the first Speech from the Throne from this administration, I'm not sure if it was the first or second. In any event it's a very complex issue and I in no way fault the government for having taken the two or three years it has to produce the legislation.

There are conflicting jurisdictions that take different views and one of the--we will be voting for this bill, Mr. Speaker, we will be voting for it to move it into Committee because the principle of the bill is most acceptable, most desirable and one might add somewhat overdue. However in terms of the progress Canada as a nation has made in general in this kind of legislation we are leading I would think most provinces other than Ontario. So, Mr. Speaker, our support for the bill is only to be qualified by its specific provisions and a determination as to how well it carries out the intent.

Now that brings us to what we really seek. That is that in Committee that we be allowed to hear, that people be invited now to come to Committee and make submissions. Mr. Speaker, I'm aware that that's not the normal thing, that in various committees notice is given the committee's sitting, but this is a major change in the legislation affecting priority of security, registration of security and registration of title documents, there are vast complexities in this area because of interprovincial trade, because of the mobility of assets, the essential aspect being to harmonize Manitoba's commercial trade laws with those of the other provinces.

Mr. Speaker, the United States, a federalism not dissimilar in certain structure to Canada, got itself into a morass of absolute commercial jungle of interprovincial trade restrictions to the extent that a whole profession grew up of advising people how to do business in one state or another state, 52 states, 50 states rather, and this is something we seek to avoid in Canada. So that uniformity of this kind of legislation is important.

One of the things, and the main thing, we say here is that we must hear from the retail credit granters; we must hear from the Institute of Chartered Accountants; we ought to be advised on a bill like this by the Manitoba Bar Association and I can point up - and I know this is not the occasion, Mr. Speaker, - but I can point out in the bill certain flaws which I hope to see corrected in Committee, certain conflicts of provisions, certain divisions which may create a conflict with other provinces, and if our objective is to simplify trade, and if our objective is to make certain that there are no barriers to interprovincial commerce, which our security and title registration laws might very well create if we're not careful, I would like to know, I would like the proposers of the bill to tell me where is Alberta going? Where is Saskatchewan going? Where is B. C. going on these very issues because certainly in economic pattern western Canada trades more or less as a block, much of our production is inter-exchanged. It would be very comforting to know that this legislation will harmonize with the eventual plans of Saskatchewan, Alberta and B. C. and I would look forward to hearing from the Minister in respect of that subject.

## BILL 5

(MR. ASPER cont'd)

So while we support the bill and will vote for it to go into second and into Committee, we do urge the government to insure, take the perhaps unusual step which seems to always upset the House Leader as departing from tradition, but take the unusual step in this case of calling the Institute of Chartered Accountants because they should be questioned as to how they will treat on their financial statements the securities covered by this legislation. Will there now be any problems with securities legislation, securities commission dealings rather, on financial statements that have securities or titles that come under this Act or are potentially able to come under this Act. If the Institute of Chartered Accountants says no we see no difficulty in certifying Manitoba companies' statements, fine. Then we would like to hear from the Manitoba Bar Association. I would ask that they be specifically requested as their duty to our community to give us their advice on this legislation and I think the Attorney-General touched briefly on it in his remarks. --(Interjection)-- Yes. The Minister of Labour says they could volunteer and come before the Committee and I agree they ought to come. But I believe that we have a right to invite them, a right to suggest to them that they come. Certainly we can't compel their attendance, we can't compel their attendance and I'm satisfied that their sense of community responsibility would be sufficiently large to come and give us their advice on the bill. --(Interjection)-- The Honourable House Leader says phone them up. No. My response to him is that I don't carry the weight of the government, although we expect to very shortly, I think the government itself ought to show that kind of initiative and leadership to invite people to committee. And also the same invitation might be extended to other groups within the community who will be affected; as I say credit granters, retail tradesmen, vendors, so on. Consumers groups I'm sure should be invited. Given that and given their advice and on the assumption that their advice is that this bill does what we hope it does, both in legal and commercial terms, then of course there will be no difficulty from the Liberal Party in the speedy passage of the bill. I would commend that course of action to the government.

INTRODUCTION OF GUESTS

MR. DEPUTY SPEAKER: Order please. Before I recognize the Honourable Member for Morris could I have the indulgence of the House to draw the attention of the Honourable Members to the gallery where we have 16 students, Seniors from the Mentor High School, Mentor, Minnesota under the direction of Mr. E. P. Neibauer. This school is the guest of Mr. Speaker.

We also have 22 students of Fordville High School, also another class of Seniors under the direction of Mr. A. Freije. This school is also guest of Mr. Speaker.

On behalf of all the Honourable Members of the Manitoba Legislative Assembly I bid you welcome.

BILL 5 (Cont'd)

MR. DEPUTY SPEAKER: The Honourable Member for Morris.

MR. JORGENSON: Mr. Speaker, the bill that is now before us is an extremely complicated and important piece of legislation that was introduced into this House on Tuesday, that was two days ago, and I hope that the House Leader will give me the opportunity of perhaps five minutes in order to put some views on the record in regards to this particular piece of legislation.

Normally, Sir, under circumstances of introducing and presenting bills before the House there has been a tradition established, that following the introduction of a bill a period of time elapses to enable the Opposition an opportunity of conducting an examination and then the Minister who is responsible for piloting the bill through the House does the courtesy of listening to suggestions made by the Opposition and then responding to those suggestions and to those criticisms, if indeed there are any, when he closes debate. We don't appear to be given that courtesy today. Indeed, since the House Leader acquired for himself the handle of the bull whip which he is now exercising, he's using it with a vengeance. And the other day when we were discussing another bill, the Minister was not in the House, it was not responded to; today we have the same situation. There's no way that the Minister is going to be able to respond to the suggestions made from this side of the House unless he's sitting in his seat listening to the debate, and there's no way I am sure that we can expect that we're going to wait until

## BILL 5

(MR. JORGENSEN cont'd) . . . . Hansard comes out so the Minister can read those comments before he replies because I am sure the House Leader is not going to permit that to happen.

I want to simply reiterate a suggestion that was made by, first of all the Member for Sturgeon Creek and again this morning by the Leader of the Liberal Party. This is an extremely complicated and important piece of legislation that even the experts would have some difficulty following through and even after they have given it consideration and have suggested changes and recommendations it will only be in its application over a period of time that the weaknesses of the legislation will be discovered and amendments will be brought forward. But we make the suggestion, Sir, in order to avoid as much dislocation as possible, as much inconvenience as possible, that it would be a course of action that the government could do well to follow by insuring that those who have some knowledge of the principle and the mechanism which is contemplated in this legislation, will have an opportunity to appear before the Law Amendments Committee and give their views.

Now, Sir, to do that it would be impossible to expect them to appear on Friday; during the interval of time that this bill has been printed and tomorrow does not appear to me to be sufficient time for anyone to give the kind of consideration that is required in order to insure that a bill that is going to be passed by this Legislature and may affect a good many people is given the kind of consideration and examination that it deserves. Even the Minister himself in introducing the legislation on Tuesday had this to say: "We have a system, Mr. Speaker, that for decades has cried out for reform, and he went on to take a great deal of personal interest in the introduction of this legislation and a personal interest in its formation over a period of years and for that I give him some credit. But he goes on to say that, I'm pleased that at this stage we are now about to act, and then he included these words, "I hope", a vehicle for much more responsible administration of the security interest in personal property. Sir, that sentence seems to indicate to me that even the Minister himself is not sure that the bill in its present form is going to work or has any hope of working. And again for that reason may I make the suggestion that sufficient time, and perhaps some time early next week would give those who want to present their views before the Committee, they be given that time in order to insure that they have had the opportunity of a careful examination of this legislation so that when their views are brought before the Committee they are thought out in a way that will enable us to take into consideration those suggestions that are being made.

I would hope that when the Minister replies, if indeed the House Leader permits him to be in the House and respond to that suggestion, that he will say that he will not have the bill called before Law Amendments or briefs presented on this particular piece of legislation until perhaps early next week, which will give them at least a weekend to carry out an examination of the legislation that I think - as desirable as it may be - could have a serious effect on the lives of a good many people in this province if it is not properly thought out and if all aspects of that bill are not carefully considered. For that reason I hope the Minister when he responds, if indeed he's given the opportunity to do so, will accept that recommendation in the spirit in which it is given. Because we are not opposed at all to the principle of this legislation, we are simply saying that there are people in this province whose advice and whose experience we have often sought.

I have said on a number of occasions, Sir, that the practice that is carried on in this legislature by allowing the public, people who are interested, to appear before a committee of this House to present their views on any piece of legislation is a very desirable one, but it can only be desirable and effective if they are given an opportunity to prepare their case, as they most often are. It happens to be an unusual circumstance that we're faced with at this present time because of a goal that the House Leader has set out for himself and which he pursues with a vengeance. And notwithstanding that--and I'm not being critical of him for pursuing that goal, he is the House Leader and he has a responsibility and I don't want to deny him that responsibility--but we have responsibilities on this side of the House as well, Sir, and the kind of co-operation that produces the best kind of legislation was not exhibited this morning and I hope that he has a more relaxed view of the suggestion that I am now making with regards to appearances before the committee by people who want to make representation.

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

MR. GREEN: Mr. Speaker, I'd like to respond briefly to the remarks which have been made concerning this Bill. I believe that it is an important Bill, some important new concepts

## BILL 5

(MR. GREEN cont'd) . . . . and I think that it will and should get the scrutiny of honourable members of the House as well as interested members of the public. I don't think that anything that has occurred will prevent that.

I'd like to dispel the suggestion that there is some sort of tradition that bills are introduced and then that there is considerable waiting periods given because they are complicated bills. I can, Mr. Speaker, give many examples where that is not the case but I'm really not putting those examples as some sort of ideal. I think that a bill should be given proper scrutiny. I think it should be given proper attention. This particular bill has been on the order paper for some time and has been distributed for some time. Those people who in the House and outside the House who've wanted to assess their positions with respect to the particular bill have had ample opportunity to do so. As a matter of fact, Mr. Speaker, that's why I believe it was on Monday or Tuesday that I announced Law Amendments Committee for Friday afternoon at 2:30 so that there would be substantial notice of Law Amendments Committee, which we haven't always had.

Mr. Speaker, I can remember as a solicitor that I was called by the Clerk of the House at 9:30 to be at Law Amendments Committee at 10 o'clock for a bill which was coming up at that time and Law Amendments Committee had just been scheduled. I was asked to speak on the bill, and I was told in no uncertain terms, Mr. Speaker, under the previous Conservative administration that if I was not there and ready to speak at that time that there would be no input by myself with respect to this particular bill; and the bill was taking money away from my client and giving it to somebody else. It was confiscatory completely in nature, the most reprehensible form of legislation. It never did go through. --(Interjection)-- Well, Mr. Speaker, the honourable member says 'cause I appeared. But I want him to know that I was called at 9:30 to be there at 10 o'clock, that Law Amendments Committee had not previously been scheduled. We've scheduled Law Amendments Committee, we gave notice of it five days ago, the bills on the Order Paper have been distributed to honourable members who could . . . and this is of course tantamount to public distribution. So, you know, I think that the members of the opposition would like to try to create an issue as to the way in which business is conducted, would like to try to add fuel to the image that some type of autocrat is conducting it.

I want to indicate, Mr. Speaker, that the honourable member said that if these Ministers are permitted to speak, if the House Leader permits them to answer to the bill. I want the honourable member to know, and the House to know that unequivocally I have not, not even by suggestion, let alone by some type of ordinance, not even by suggestion, have I said that a Minister shouldn't be here to close debate. And if the honourable member is making that inference I want to say that that is absolutely not correct. There are some times that Ministers cannot be here and where that occurs it is the fact that members will be able to ask questions with regard to particular things in Committee. The honourable member knows that. The honourable member is a parliamentarian of long standing. I would suggest that if anybody on the other side knows that what I'm doing is perfectly consistent with tradition and good House practice it's the Honourable Member for Morris. If he became the Leader of the House under the proposed Progressive Conservative administration, Mr. Speaker, I have no doubt whatsoever that the kinds of things that are now being described as autocratic and ruthless and arrogant would be done in spades by the Member for Morris.

But I say in advance that they are not of that nature. The opposition has a responsibility and the government has a responsibility. The opposition's responsibility is to use whatever time they have available to make their position against the government. The government has an obligation to try to steer its program through the House, and where the opposition is moving in such a way that makes that difficult through their use of the rules, which is what the Leader of the Opposition described, then the government has to take its weight of numbers to conduct the business of the House. The honourable member knows that and I really don't have to lecture him on that. And the kind of insults or vituperation that I've been subjected to in the last day really do not bother me that much because I know that the honourable members are doing that for effect. They are posturing and the posturing is really not of great concern to me.

The bills that have been on the Order Paper have had ample time for scrutiny by honourable members, ample time for scrutiny by the public. They will be given further scrutiny at Law Amendments Committee. If any reasonable suggestions are made at Law Amendments Committee, suggestions which commend themselves to the entire committee they will be



## BILL 5

(MR. GREEN cont'd) . . . . . listened to. The honourable member knows that, and with respect to this particular bill. I feel quite sure that the honourable member is not suggesting that we start summoning people, such as has been mentioned by the Leader of the Liberal Party, such as summon the accountants, summon the lawyers. These people have in the past, when they have felt that it's necessary to register their position, they've come and registered their position and it would not behoove the government to say that you must appear before Law Amendments Committee and give your position on these things.

Not that considerable input from such groups does not go into the preparation of a bill. It has always been the case. When we prepared the Wildlife Bill, the Wildlife Federation and all the other groups are asked to comment on proposals that we are making before they get to the bill form. Government doesn't present a bill out of the top of its head. I want to assure the members if they need any further assurance that it's not the intention of any of us to see to it that the regular full consideration of all bills on the Order Paper is given and they have their manner of insuring that this thing can be done. And the government, and the majority of the members in the House have the right to decide when they feel that consideration has been given.

I believe, Mr. Speaker, that that is all that we are participating in, and the rest of the posturing that's taken place in the last 24 hours are designed to think well maybe we can do two things. We can first of all characterize this man as a tyrant; that's up to them. And secondly, we can try to create some dissension, some degree of non-confidence as to what has happened. I don't think that they're going to succeed because I think that we have handled the matter responsibly.

MR. SPEAKER: The Honourable Member for Roblin.

MR. J. WALLY McKENZIE (Roblin): Mr. Speaker, I just have a very few brief remarks with this bill in support of my colleague the Member for Morris and hopefully to explain to the Honourable the House Leader that the problems that we have, especially some of the rural members, with this type of legislation.

I sent copies of the bills out to some of the leading businessmen in my constituency some time ago but I assured these men that I would share the comments of the Honourable Attorney-General when he introduced the bill at second reading so that they could interpret the bill in a more knowledgeable manner. And it happens to be kind of difficult in the country. There is no lawyer resident in the Town of Pine River, there's no lawyer resident in the Town of Grandview and other small centres in my constituency have no legal counsel there, so hopefully I suggested to them they could share the wisdom of the Attorney-General when he gave this bill second reading. Now we've got that information in Hansard and with important legislation such as this I think that we do deserve the type of consideration the Honourable Member for Morris--at least I certainly hope the businessmen in my constituency will be able to react now as I gave them the comments, ask pro or con or give me any information that may be helpful, to the House or to me as the member or to the Honourable the Minister that introduced it. So on this type of legislation it is rather difficult for some of the rural members to communicate with their people and get back the feedback that's so necessary for bills that are as important as this one.

There are a number of the other bills, Mr. Speaker, that we can't handle without the benefit of some of the people that reside in our constituency that have a direct interest, but in this bill especially which I think has a direct bearing on every businessman and almost, in fact maybe every citizen in my constituency, I certainly support the views and the remarks of the Honourable Member for Morris who asked that we be given every consideration, especially the business community, to deal with this bill in full detail.

MR. SPEAKER: I believe the motion stands in the name of the Honourable Member for Rhineland, is that correct?

A MEMBER: That is correct, Mr. Speaker.

MR. SPEAKER: Thank you. The Honourable Acting House Leader.

MR. PAULLEY: Would you call concurrences, Mr. Speaker.

CONCURRENCE

MR. SPEAKER: Very well. Resolved that there be granted to Her Majesty a sum not exceeding \$14,169,600 for Attorney-General. Resolutions 17-24 separately and collectively. The Honourable Member for Morris.

## CONCURRENCE - CATTLE RUSTLING

MR. JORGENSON: Mr. Speaker, when the Estimates of the Attorney-General were before the House a short while ago there was some discussion on the question of law enforcement particularly as it applied to a crime that is becoming very very serious in this province, and indeed throughout the North American Continent primarily as the result of high food prices, and I'm speaking of cattle rustling.

Since the estimates were brought before the House I understand that the Attorney-General has had an opportunity to meet with his colleagues in the other provinces on this question. He's also had an opportunity to meet with the Minister of Justice in Ottawa and the matter has been reviewed. However, aside from a few questions that were raised in the House during the question period we haven't had an opportunity to examine the decisions that have been taken by the Attorney-General with respect to this very important and bothersome problem that is affecting so many beef producers across this country. It seems to me, Sir, that the government in their encouragement of livestock production in this country are doing a disservice to the producers if they do not at the same time adequately protect the investment that indeed the taxpayers of this province have, in encouraging those people to go into the production of livestock. A problem that is becoming so severe that in many areas of this continent farmers are taking the law into their own hands, vigilante committees are being set up and indeed other methods are being thought of and devised to insure that people who are being affected at least have an opportunity of protecting their own investments.

I would like to hear from the Minister details of what the proposals are in regard to this very serious matter, because unless producers of livestock in this province have the assurance that some serious efforts are going to be made to protect producers then methods will have to be found by producers themselves to make sure that their investments are not being lost by a lack of law enforcement. I recognize that to a large extent there is an obligation on the part of the producers themselves to take steps that will assist law enforcement officers; and it is in this connection that I want to hear from the Minister, to hear his views as to what decisions were arrived at as to the best method of co-operation between the producers and the law enforcement agencies so that effective --(Interjection)-- Yes.

MR. CHERNIACK: I appreciate the honourable member accepting a question. I'm wondering just whether it is a problem of identification as I believe it is. Would that not then mean that producers would have to have proper branding or some system, and at whose expense does the honourable member think it should be? And the question I have to ask him, even though he sits beside a person who's opposed to compulsion, whether it should then become compulsory that they do have this kind of identification?

INTRODUCTION OF GUESTS

MR. SPEAKER: Order, please. I wonder if the honourable member would indulge me for a moment before he proceeds to answer. We have with us in the gallery 25 students of Grade 11 standing of the Lac du Bonnet School. They are under the direction of Mr. G. Karklin and they come from the constituency of the Honourable Member for Lac du Bonnet, the Minister of Agriculture. On behalf of all the honourable members I welcome you here today. Thank you.

CONCURRENCE - CATTLE RUSTLING Cont'd

MR. JORGENSON: . . . in response to the question that was posed by the Finance Minister, he is perfectly right. One of the methods that could assist law enforcement a great deal is the registering and the use of brands by the producers themselves. To a large extent most producers who are, not large producers, but most producers who are knowledgeable in this subject, sound business operators, find that this is the best investment they can make for insurance. It costs I understand about a dollar an animal to brand the livestock and of course that is the expense borne by the producer himself.

I don't think there is any obligation or should be any responsibility on the part of the government to compel a producer to do that or to insist that he does that. It's for his own protection that he does it and most of them do it because it's for their own protection. But what we're faced with, and this is the change that has taken place, I think at one time that was an adequate protection against the kind of rustler that we read about and that we knew about. Today we have a much more sophisticated type of rustling cattle, and even the registration of brands is not adequate protection because what many of them do is simply peel the hides off,

## CONCURRENCE - CATTLE RUSTLING

(MR. JORGENSEN cont'd) . . . . bury them and they're lost, and then there's no way of identifying. So in addition to the registering of brands, which is indeed a suggestion that is followed by good producers across this country, there's also this new technique of rustling, where you--I understand they're even using helicopters now to spot them, and that becomes a little difficult thing to cope with. And so the enforcement of the law in this connection now becomes a much more sophisticated thing, and it was in this connection that I was curious to know just what the Minister and his colleagues had discussed when they met a few weeks ago. I want to know whether all of these techniques had been discussed and if measures, or steps had been arrived at as to methods of combating them. Unfortunately I can only presume that the Attorney-General is away on necessary business, and I don't fault him for that. I would like however to have had him make a few remarks in this connection because it is one that concerns most of us who live in the rural areas, and since the government are now having a pretty substantial investment in livestock by encouraging many farmers to go into livestock, I would like to see steps taken to insure that that investment is protected.

MR. SPEAKER: The Honourable Member for Ste. Rose have a question?

MR. A. R. (Pete) ADAM (Ste. Rose): Yes, please. Would you answer a question for me? You mentioned the cost of about a dollar per head, and I just wanted you to clarify me on that point, whether that was for the cost of branding the animal, or the inspection, the necessary personnel, and all the books that have to be kept at the stockyards, and so, that's what I want to know. Who would pay that?

MR. JORGENSEN: Mr. Speaker, I think the cost of a dollar per head I think is the total cost. This is a figure that - I have no precise information on it. It is one that I picked out of a magazine, or a news article just recently about rustling in the United States, and the figure there that was quoted was a dollar, and that includes the registering of the brand, the actual work that is necessary in branding animals, and all that is associated with this particular operation.

MR. SPEAKER: The Honourable Member for Gladstone.

MR. JAMES R. FERGUSON (Gladstone): Thank you, Mr. Speaker. I would just like to add a few words to what my colleague from Morris has said. One other thing that I would like to bring up at this time is again the jacklighting situation. At the time of the estimates the Minister did say that it was a dangerous practice and one thing and another, but again there has been no action taken. And I would again like to impress on the Minister the fact that we are going to have to have some action on this matter very shortly or we are going to run into an incident that I think everyone will find very regrettable.

And getting back to the high interest that is being shown now in cattle rustling--it's something again, and I suppose if we talk about it often enough, and it will start happening more often--and the thing that we're basically concerned with is the fact that the deterrent to rustling is not severe enough by any stretch of the imagination. The Minister did say that he was going to bring in a bill, possibly it's still in the books, it probably may still come in, but we as cattle producers certainly want to impress on the Minister the fact that the apprehension of rustlers is something that's very difficult, and I think that when one is apprehended that they should be made an example of.

To go along with the comments that have been made on branding, I think that in most cases now individuals have registered brands and are branding for their own protection, but again, as my colleague said, the sophistication of the rustlers is coming along with the mechanized age and they are quite capable of slaughtering an animal for the deep freeze and getting away in a very big hurry. There's no way that you can really trace them down in this kind of a situation.

Now I don't think there's anything more that I want to say except again that I would hope that the Minister will start supporting his law enforcement officers on the jacklighting and will certainly put a higher deterrent on this business of cattle rustling. Thank you.

MR. SPEAKER: The Honourable Member for Rock Lake.

MR. HENRY J. EINARSON (Rock Lake): Thank you, Mr. Speaker. I just want to make a few comments on the subject introduced by my colleague from Morris and my colleague from Gladstone.

I was very interested and appreciated the question that the Minister of Finance asked, and I think that it's one that's very appropriate to the subject we're discussing here, and also

## CONCURRENCE - CATTLE RUSTLING

(MR. EINARSON cont'd) . . . . . to inform the Member for Ste. Rose through the question he had asked, and the Minister of Finance in view of the fact that he and I understand one another in this regard when we talk about compulsion, and he wondered whether it was necessary to bring in compulsory legislation. Insofar as--and my colleague from Gladstone mentioned the fact that branding is available, and I think it's a matter of education, and there are many farmers that are not aware of this, that you can come into this building and you can register a brand; having done that, and it would cost you a nominal fee, having done that, that's a brand that you carry with your cattle herd for all time. This can be, you know, of some help, but you know, Mr. Speaker, I know of cattle rustlers in my area - part of the province - whereby they've been completely set up --(Interjection)-- Yes I don't think there's a year goes by, Mr. Speaker --(Interjection)-- the Minister of Labour wonders about that --(Interjection)-- but these people that are indulging in the rustling of cattle they're completely equipped with a truck; they have help; they go out to a farmer's pasture, particularly where there's a great deal of bush and where they can have some camouflage, and probably just when the sun is getting down they sometimes can sneak in and do a little bit of preparatory investigation and get the lay of the land and so on, and then having found the opportune time to go in and make the kill, they pick up their animal - they have trucks that are equipped to haul the beef into the back of the truck - and then they take off. And while they're in transport they've got somebody in the back of that truck that is dressing the animal and beef, and probably the head will be dropped off one spot, and the hide might be dropped off at another spot, and so on until they have everything discarded they don't want and the meat is left. And this is the way in which a number of them are operating.

But I just want to say, Mr. Speaker, and I think it's worth repeating, that if we're going to do anything to solve this problem the consideration in the fine that has to be applied to anyone who's caught has got to be a great deal more severe than what it is today. And that's the comment that I want to convey; I hope honourable gentlemen in the front bench on the government side will pass on to their colleague the Attorney-General, because I think this is the area in which, it's like a deterrent, and here I think that word deterrent is appropriate on this side of the House as far as we're concerned, in order to solve this, that is what has to be done.

. . . . . continued on next page.

## CONCURRENCE - CATTLE RUSTLING

MR. SPEAKER: The Honourable Member for Souris-Killarney.

MR. MCKELLAR: Mr. Speaker, I'd just like to say a few words--the Honourable Minister can--we're just trying to get things straightened out here. Well, I'd like to say a few words on this too because in my area this is one of the problems, and not only do I have the concern of the farmers at heart on this, it's a concern for everyone, I think, in our whole society, when a group of people take it upon themselves to go out and steal another man's property. But the problem we have is trying to prove, or find the individuals, and one of the reasons why I'm speaking here today is because of the matter of theft and the matter of finding or tracing the theft, but also the mysterious disappearance of a given animal in a man's pasture. And this is one of the real problems that you have at the end of the fall when you go out to get your cattle that the cattle, there's no beast there, cattle beast there at all in the pasture. It's disappeared. And one of the reasons why it's disappeared is because of the reasons mentioned by the Member for Rock Lake.

Now, as an insurance agent, in the policy it reads that they do not cover for mysterious disappearance and they do cover for theft. In order to collect under theft you have to have a part of the animal remaining, the hide, legs, or some part of the animal, head, or also some given evidence that the fence had been broken, an animal had been stolen, and tracks of a truck that had gone in and out of the pasture. But this is very difficult to prove and for most cases where the animal has disappeared no claim can be paid, and this is one of the problems insurance companies are having in trying to arrive at this very problem. Now I don't know what the answer is and compulsion is surely not the answer in branding but I think, as mentioned by one of the other speakers here just a few moments ago, that an educational program will have to be brought out and that farmers informed of the seriousness of the problem. As I understand, in the Stonewall area 48 cases of theft of animals have been made to the RCMP and that's only one area in the Province of Manitoba. Now how far is this going to go with a cattle beast running in the neighbourhood of \$500.00 at the present time? The people who are in this business of stealing animals will go about it, I imagine, in larger numbers than they have in the past.

Mr. Speaker, my concern is for the farmers and what we as legislators can do to educate the farmers in branding their animals and registering their brands. And I think it was last year we got a list of all the registered brands in the Province of Manitoba and I was amazed at the number of brands that are registered and the number of farmers that have registered brands, and maybe we as individual members of the Legislature could help in the education of this particular policy with the farmers in the Province of Manitoba. I am one of those farmers that do not have livestock and don't stand the risk of having any of my livestock stolen, but I can appreciate the concern of many farmers in my area of the number of animals that are stolen and the fact that they disappear and at the end of the year they're gone. The losses are becoming greater and maybe we can do something here in this House with a program of registered brands for the farmers.

HUMAN RIGHTS COMMISSION

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SPIVAK: Mr. Speaker, I rise on . . . of the Attorney-General to state a position in connection with the Manitoba Human Rights Commission that I was unable to deal with during the Estimates because I was absent during that period of time. I am sorry that the Attorney-General is not present here, Mr. Speaker, because my remarks to a certain extent are directed to him and not in any way meant as a discussion or challenge to the way in which he has operated or handled his responsibilities with respect to the Human Rights Commission, but for the purpose of indicating the kinds of changes that I think are necessary if it is to offer properly and correctly in a contemporary period with the basic concern and development of civil liberties and concerns for the rights of individuals.

Mr. Speaker, there have been some incidents in the last little while with respect to the Human Rights Commission that have put in question the way in which it is operated. We've had the resignation of the Executive Director in circumstances which are clouded and which I believe there are conflicting statements of fact which have, I do not think, enhanced the work of the Human Rights Commission or its position, and to a certain extent I think have also reflected on the way in which the government has handled the matter. But my point, Mr. Speaker, is that I do not believe that the government or the Attorney-General should be put in that kind of position

## HUMAN RIGHTS COMMISSION

(MR. SPIVAK cont'd) . . . . because I believe that we've reached a point, Mr. Speaker, where the Human Rights Commission, as the ombudsman, must be responsible directly to the House and that the Human Rights Commission and its function must be one which is not really under the arm of government per se but rather is under the arm of the Legislature. And that involves not just the question of the Human Rights Commission being designated to be responsible to the House and to the extent to be appointed by the House, it involves probably essentially a new kind of concept with respect to the way in which it should operate.

MR. PAULLEY: Mr. Speaker, would my honourable friend permit a question just for clarification?

MR. SPIVAK: Yes, at the end. --(Interjection)-- Yes, but at the end, I'm entitled, I think, Mr. Speaker--and my suspicion is that the Honourable Deputy House Leader or former House Leader -- no, I'm not being unduly suspicious. What I'm trying to propose -- (Interjection) -- Mr. Speaker, I wonder if I've satisfied the Minister of Labour, if I can continue. -- (Interjection) --

Mr. Speaker, the members of the Human Rights Commission are appointed by the government as in the case of many boards and commissions. They are, to the extent that they are appointed by the government, political appointees. If the Human Rights Commission is in fact to perform the function in the decade of the 70s that it has been given, then it is my opinion, Mr. Speaker, that the Human Rights Commission should be appointed by an independent body, who in fact are made, and those appointments should not be political appointees.

Now, Mr. Speaker, that may seem to some a concept that is not workable, but I want to deal with this if I may. It would seem to me that it would be possible, Mr. Speaker, to alter and change the act, and I must say, Mr. Speaker, if we form a government we intend to do this. Mr. Speaker, it would be possible to set in the act the basis on which a group of people would be given responsibility to, in fact, set and appoint the commission and its board. As an example, Mr. Speaker, I can visualize that the President of the Civil Liberties Association of Manitoba, the President of the Manitoba Federation of Labour, the President of the Chamber of Commerce, and I only cite those as three examples; the head of the Union of Manitoba Municipalities as another. I can see, Mr. Speaker, a designation of people who would hold responsible positions within the community, both with some governmental status, many with non-governmental status, particularly those in the area of civil liberties and concerned with the rights of people, would be given the opportunity as a group to in effect select those who would sit on the Human Rights Commission. In this way, Mr. Speaker, the independence of the Human Rights Commission would be established. In this way, Mr. Speaker, if the change was brought about but it was responsible to the Legislature, it would not be responsible to the government, and the present government and the future governments would not be in a position, Mr. Speaker, to have any cloud attached to them with respect to any investigation or any action that takes place within the Human Rights Commission.

Now I suggest that there is some doubt as to the facts and as to what really took place with the resignation of the Executive Director, and we are dealing in the field that I think the members opposite are as concerned as we are be handled properly, be handled with independence, be handled in a fair manner, but Mr. Speaker, you know, we face a situation where there is a greater and greater concern by the individual for the way in which government operates and deals with the civil liberties of its people. We have to, Mr. Speaker, be sure that we can have confidence in a group who must fearlessly investigate actions that are in violation of the rights of the individual, and Mr. Speaker, the concern we have is that the actions which are to be investigated can very well be actions of government. Mr. Speaker, the concern we must always show is for the protection of the rights of the individual in terms of infringement on his liberties by government itself, and when we go to the situation - or deal with the situation in which the Executive Director was supposedly fired, or asked to tender his resignation, we are dealing in an area in which the government itself was involved. We don't know what the facts really are; they have not been explained. There are rumours, and I say they are rumours; they are not facts, of the Executive Director being given a letter of resignation to sign. We are told, Mr. Speaker, that it had to do with investigation on his part of some aspect of government activity, and whether this is true or not, Mr. Speaker --(Interjection)-- no, not on the record-- whether it is true or not, Mr. Speaker, the fact is the government cannot put itself in a position, and should not, of in any way being suggested that it in any way suppressed the proper carrying

## HUMAN RIGHTS COMMISSION

(MR. SPIVAK cont'd) . . . . out of a function now which essentially should be independent of government.

Now in the United States we have what is referred to as the Watergate Incident, and Mr. Speaker, we do not want any Watergate in Manitoba, and the reality is, Mr. Speaker, that under the present situation, under the present structure, unless it is altered that kind of situation could in fact arise.

Now it may be far-fetched to assume that it could happen in Manitoba, but Mr. Speaker, it could arise and the investigation of it itself could in fact be suppressed because the government essentially does have that power of veto on those who have been appointed to the commission, that power of veto on the actual investigatory process, and the government should not be put in that position, but rather, what we should do is establish and redesign the structure of the Human Rights Commission to indicate and to allow it the complete independence from government and to allow it to be able to protect the rights of the individuals, not only in terms of the general community, but in terms of government itself.

Mr. Speaker, for some time--and I think I can go back to the first speech given in Opposition by myself as a member of this House--I indicated that there was a need for an Administrative Practices Act. I indicated that there was a need now for the establishment of procedures which would protect the rights of the individual before any board or commission in Manitoba. I indicated that it was necessary that there be some uniformity so that the discretion exercised by the Chairman of any board or by any of its members would not in effect deprive the individual of his rights, of the right to counsel, and should not be put in the position where there is any oppression exercised by the very fact that for many people appearing before a board and commission which have semi-judicial procedures, they are not in the position or unfamiliar in the way in which they can handle themselves.

Mr. Speaker, it is now 12:30 and I'll continue my speech . . .

MR. SPEAKER: Thank you. The hour being 12:30, the House is now adjourned and stands adjourned until 2:30 this afternoon. (Thursday.)