

THE LEGISLATIVE ASSEMBLY OF MANITOBA

10:00 o'clock, Thursday, April 19, 1973

Opening Prayer by Mr. Speaker.

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

MINISTERIAL STATEMENT

HON. LEONARD S. EVANS (Brandon East) (Minister of Industry and Commerce): Mr. Speaker, I have a statement to make.

I am pleased to inform the House that a decision has been reached to establish a plant at the Indian Training Centre at Rivers to assemble bicycles and to manufacture bicycle parts. It will be the first bicycle plant in Western Canada and will employ about 100 people for the manufacture of three, five and ten-speed bicycles. Some of the more important aspects of this new million dollar plant are that it brings an entirely new type of industry to the province. It is in keeping with our policy of decentralization. It is pollution-free, provides local jobs, and has a good export potential, one which will bring in outside dollars.

The firms involved in the new industry are the bicycle manufacturing firm of Sekine Industries Company Limited of Japan; the Japanese trading firm of Nagase and Company, and the Manitoba manufacturing and distribution firm of H. C. Paul Limited. Operations will begin this August in a 60,000 square foot hangar, and the market area will be North America and Europe. This will be the first plant in North America established for the manufacture of Sekine bicycles.

Insofar as the Oo-Za-We-Kwun Indian Training Centre at Rivers is concerned, this will be the third industrial plant to be established there and will help build the economic void left by the closure of the Rivers Air Base.

Mr. Speaker, the need for such a plant has been long held by myself and members of my department. We've worked for two years on this type of project and have made proposals to and held discussions with a number of bicycle manufacturers in Canada and other countries, including Britain, Czechoslovakia and Japan. Indeed my Deputy Minister and Assistant Deputy Minister met with the Sekine officials in Japan last year, and I held discussions with some of their principals here as well as with manufacturers in Europe. The decision to go ahead with the plant was based on a \$7,000 feasibility study undertaken by the Department of Industry and Commerce, and I'm naturally pleased with the outcome. We also assisted the principals in obtaining a \$350,000 DREE grant and we will be providing them with some technical consulting services for the first year of their operations.

In closing, Mr. Speaker, I want to quote the words of Mr. Paul, the Canadian partner in the enterprise, in the joint press announcement which he is also releasing this morning, when he described this venture and the work leading up to it as "an example of how private business and government can work together to expand the economy of this province." Thank you.

MR. SPEAKER: The Honourable Member for Virden.

MR. MORRIS MCGREGOR (Virden): Mr. Speaker, I would like to just express through you to the Minister, the deep appreciation from Western Manitoba generally, certainly the community of Rivers, the business street of Rivers. I know it's been a long struggle; it's been many levels of government that have worked at this to bring this about, and I think it's just tremendous. The economic results for the treasury of the province will be great and I'd just like to be probably the first customer for that bicycle, because with my traffic tickets that I'm getting it might well be I'll be related to bikes only and I hope it is a real high speed one, and I'll probably be unfortunate enough to pick up a ticket. But I just say, Mr. Speaker, it's a tremendous success in my short political career. The First Minister and the Minister involved, I've been nattering with them, I've been talking with them, I've been hobnobbing with them to help get this thing, this thing put together, because I believe times when you are approaching these type of things that you have to work far beyond the political philosophy of an individual or a particular political group, and I appreciate the assistance of the First Minister and the Ministers involved have given me over quite a few years. Yes, I guess from the first day the First Minister walked in here as Premier, I hit him on the -- I didn't hit him, I met him at the steps. I had a notion to, but however, we agreed to work at this as a joint venture. What our part was in it, what mine was, was very humble and I often felt left out, but have come to the conclusion

MINISTERIAL STATEMENT

(MR. MCGREGOR cont'd) if they have to leave me out to make a conclusion to a successful story, I'm quite happy. So I just thank you.

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

MR. I. H. (IZZY) ASPER (Leader of the Liberal Party) (Wolseley): Mr. Speaker, I want to add the congratulations of the Liberal Party to the Minister and to all those in his department who have been responsible for this very important breakthrough for Rivers. I think, as well as what Mr. Paul said in his news release today, that not only is it an example of the kind of co-operation that can lead to important fruition between business and the private sector and government, but also the kind of and quality of co-operation that apparently was brought to bear amongst the three levels of government involved, the local, the provincial and the federal. On behalf of our party, our sincere congratulations to all government levels and all government officials involved, and may we add the hope that this is the beginning of a great breakthrough for Rivers.

MR. SPEAKER: Any other tabling of reports or Ministerial Statements? Notices of Motion; Introduction of Bills. The Honourable - Attorney-General.

HON. A. H. MACKLING, Q. C., (Attorney-General) (St. James) introduced Bill No. 35, An Act to amend The Criminal Injuries Compensation Act. (Recommended by His Honour the Lieutenant-Governor)

ORAL QUESTION PERIOD

MR. SPEAKER: Oral Questions. The Honourable Leader of the Opposition.

MR. SIDNEY SPIVAK, Q. C. (Leader of the Opposition) (River Heights): Mr. Speaker, my question is to the First Minister, and it relates to the answer that I received in connection with the request that the Standing Committee on Economic Development be allowed to deal with the cost of living and inflation and call witnesses for that purpose. I wonder if the First Minister can now indicate whether it would be his intention to recommend that the committee be allowed to deal with the cost of living and inflation when it meets on or about May 1st, as suggested by the House Leader.

MR. SPEAKER: The Honourable First Minister.

HON. EDWARD SCHREYER (Premier) (Rossmere): Well, as the Honourable Leader of the Opposition knows, the committee has been scheduled now to be convened and there is certain, I should think, rather important business for that committee to deal with. If the Honourable Leader of the Opposition can be persuasive at the committee and convince the members of the committee to take up additional matters, it is open to him. I would hope, Sir, that the Leader of the Opposition has not only read my letter but also read the charts which were appended thereto, which showed that the problem, while it exists in Manitoba as elsewhere, exists with less severity than in other places.

MR. SPIVAK: To the First Minister. I wonder if his answer suggests to this House that the issue of the cost of living and inflation is not an important subject to be discussed by the members of the Legislature.

MR. SCHREYER: Mr. Speaker, of course, of course it is, but then I think a perusal of the record, statistical record, of the last ten years will show that there have been other years in which the escalation of the cost of living index has been as severe or more so than today, and I'm not aware that my honourable friend took any action along the lines that he is now himself advocating. So there is some need to look at the historical record and make some comparisons.

MR. SPIVAK: Well to the First Minister again, Mr. Speaker. I ask him whether he intends to recommend to the committee that the committee be allowed to hear witnesses to deal with the issue of the cost of living and inflation when it meets on or about May 1st.

MR. SCHREYER: Well, Mr. Speaker, if a motion at the committee recommending that course of action is one which the committee would want to deal seriously with. I don't think that it would be appropriate for me to indicate in this Chamber what the committee ought to deal with. However, certainly I will discuss the matter with the House Leader and with the Minister of Industry and Commerce in order to ascertain whether the normal work that will be put before the committee can be accommodated as well as taking under consideration in the committee the question of cost of living.

MR. SPIVAK: To the First Minister. I wonder if, in view of the contents of the letter

ORAL QUESTION PERIOD

(MR. SPIVAK cont'd) sent to me yesterday by the First Minister, whether it will be the Manitoba Government's intention to recommend to the Federal Government at the next Federal/Provincial Conference a freeze on price, on prices and price control and a freeze on wages.

MR. SCHREYER: Mr. Speaker, that is the kind of action that a nation would not take lightly. However, I believe that it is well on record that we have advocated a price review, systematic price review and analysis, for identification of the main trouble spots or the main causes of escalation in the cost of living, and therefore, we do not oppose in principle any action that might be taken by the Government of Canada with respect to a price review and analysis.

HON. SIDNEY GREEN, Q. C. (Minister of Mines, Resources and Environmental Management) (Inkster): I wonder if my honourable friend will let me just interrupt on a point of order. He was referring to May and I did say May. The Monday that I had on the calendar was April 30th. I thought that that was into May but it's April 30th for the Economic Development Committee.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SPIVAK: Well Mr. Speaker, I wonder then if the First Minister can indicate whether there's been any communication from the Manitoba Government recommending price and wage control in view of the announcement of a prices and review mechanism to be established by the Federal Government. Has there been in fact any communication between the Manitoba Government and the Federal Government?

MR. SCHREYER: Well Mr. Speaker, I would hope that this government does not engage in one-upmanship. We have taken the attitude, a position, for some time that we would favour price review. Now that the Federal Government has indicated its willingness, I believe, to proceed with some form of price review, we are not going to change our field and start urging price control, because we believe that before society can arrive at the point of endorsement of price control that there are certain logical preliminary steps that ought to be gone through first because they may prove to be effective enough, or effective enough at least in the short and intermediate run, such as price review, such as temporary, temporary phased price and income controls. And certainly the suggestion my honourable friend is making for permanent price and income controls is one that is using a broad axe to solve a problem that requires surgical precision.

MR. SPIVAK: Well to the First Minister. Would he not agree that the Standing Committee on Economic Development should be given an opportunity to review the proposals and the suggestions that the First Minister has made?

MR. SCHREYER: Mr. Speaker, as I said earlier, the committee will determine its course of action. I do believe that there will be an opportunity at the committee for my honourable friend to make the case why the committee should enter into discussion and analysis of cost of living increases, but I'm also aware that this same committee has certain other responsibilities charged to it and I've already indicated I will take this up with the House Leader, the Minister of Industry and Commerce, and others to ascertain whether this can be accommodated.

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

MR. ASPER: Mr. Speaker, my question is to the Attorney-General. In view of the statement in the Ombudsman report on page 68, referring to a potential conflict of interest case under the Manitoba Housing and Renewal Corporation, has the Attorney-General investigated the case as reported to him by the Ombudsman?

MR. SPEAKER: The Honourable Attorney-General.

MR. MACKLING: Mr. Speaker, I have not perused the complete report of the Ombudsman to date. I don't know of the recommendation requiring for the follow-up. If it does, that will naturally follow in due course.

MR. ASPER: Mr. Speaker, to the same Minister. Did the Ombudsman report to the Attorney-General or to the Minister of Municipal Affairs the circumstances wherein the Manitoba Housing and Renewal Corporation purchased land in adjacent or in the neighborhood of which a Manitoba Government employee owned, through a corporation controlled by his wife, additional property.

MR. SPEAKER: The Honourable Minister of Municipal Affairs.

HON. HOWARD R. PAWLEY (Minister of Municipal Affairs) (Selkirk): Mr. Chairman, the Ombudsman reported the case to me after the matter had been dealt with at the Municipal

ORAL QUESTION PERIOD

(MR. PAWLEY cont'd) Board, at which hearing the solicitor for the objectors had indicated that the matter was not relevant, as did the chairman of the Municipal Board. I have obtained legal opinion in respect to it which indicates no conflict of interest in the case at hand, and at the appropriate time in Estimate review or otherwise I shall, if requested, submit that information to the House.

MR. ASPER: To the Municipal Affairs Minister, Mr. Speaker. Can he indicate to the House whether any information was put before him to deny or prove that the employee directly, or indirectly through his wife's company, had property that was enhanced or altered in value as a result of the government decision?

MR. PAWLEY: Mr. Speaker, evidence was presented to me. That evidence, as I indicated will be presented to the House at the appropriate time. But as I have indicated before, it does not disclose any conflict of interest or any effect. Insofar as the properties are concerned, the evidence has been carefully looked over by different parties.

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

MR. ASPER: To the Attorney-General, Mr. Speaker. Does the Government of Manitoba have any regulations vis-a-vis its employees, particularly those who are in the area where purchasing occurs, requiring them to make disclosure of their dealings or the dealings of people living under their control?

MR. SPEAKER: The Honourable Attorney-General.

MR. MACKLING: I think the question is more properly directed to the Minister responsible for the Civil Service Act and I refer the question, therefore, to my colleague the Minister of Labour, who may have some particular knowledge as to this. I'm not fully aware of it.

HON. RUSSELL PAULLEY (Minister of Labour) (Transcona): I'm surprised, Mr. Speaker, at the type of questions of my honourable friend the Leader of the Liberal Party. We believe in a free enterprise system insofar as the treatment of our employees are concerned, and there will be no provision, as far as I am concerned as the Minister responsible for the civil service, to impose such impositions as suggested by the Leader of the Liberal Party upon our employees. However, having said that, if there is any evidence given that any employee is using his particular office improperly, then whatever measures are required to be taken will be taken.

MR. ASPER: To the Attorney-General, Mr. Speaker. In view of the request in effect in the report by the Ombudsman for guidance from this Legislature, contained in the last paragraph on page 69, does the Attorney-General have any plan to put before this session, any legislation?

MR. SPEAKER: Order please. I would suggest that it would be much more proper to discuss the Ombudsman's report under the Estimates of the Attorney-General, which are now before the House, than under the question period at the present time. Does the Honourable Leader of the Liberal Party have another question?

MR. ASPER: I've a question, Mr. Speaker, to the Attorney-General then. Has the Attorney-General given the Ombudsman any guidance in dealing with similar cases in the future?

MR. MACKLING: Mr. Speaker, I would like the Honourable Member from Wolseley to know that the Ombudsman is a servant of the Legislature and he does not respond to the directives of the Attorney-General, and I think it's insulting of his high office for the Member from Wolseley to intimate that the Attorney-General can direct the Ombudsman as to what the Ombudsman is going to recommend or what he is going to do.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SPIVAK: Mr. Speaker, my question is to the Attorney-General and it relates to the Ombudsman's Report. It's something that I believe is within his jurisdiction . . . the jurisdiction of the government as opposed to the Legislature. I wonder if the Attorney-General could indicate whether, as a result of the Ombudsman's Report, the provincial contract with the RCMP will be reviewed.

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: Well, Mr. Speaker, there again is a question which involves some detail which again, as you yourself have pointed out, Sir, is better related to the Estimates of the Department of the Attorney-General which happen to be before this House currently.

MR. SPEAKER: The point is well taken. The Honourable Member for Emerson.

MR. GABRIEL GIRARD (Emerson): Yes, Mr. Speaker. I would like to ask a question of the Honourable Minister of Colleges and Universities. I wonder if he can now tell us how many

ORAL QUESTION PERIOD

(MR. GIRARD cont'd) teachers were absent from Red River Community College through illness yesterday and are they back to work this morning?

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

HON. SAUL A. MILLER (Minister of Colleges and Universities) (Seven Oaks): Mr. Speaker, the drama unfolds on this on an hourly basis. This is Act II, Scene I, first thing in the morning. As of last night at 5:30 when I left the Chamber, I was informed that about 70 had not shown up, reported ill. As of ten to ten this morning apparently 55 out of those 70 are back in the classroom. Others may be returning because they may not be reporting for duty until this afternoon. So it's difficult to say what the box score will be at 5:00 o'clock this afternoon.

MR. SPEAKER: The Honourable Member for Emerson.

MR. GIRARD: Thank you, Mr. Speaker; one more question. I wonder if the Minister can advise the House as to the change in the regulation, or not so much the regulation as the custom. Was that change brought about by a requirement of himself or his department, his deputy, or was it a local decision?

MR. SPEAKER: The Honourable Minister.

MR. MILLER: Mr. Speaker, there are no such things really, I suppose, as local decisions. In the final analysis I have to take the responsibility for it. Whether it was done at the institution or done through the Deputy Minister's Office I don't know. It's my understanding, and I haven't got the full picture as yet; I hope to get it some time today, that as a result of intake dates in last September and then later again in November and again in February, there will be an ongoing utilization of the school, of the institution, right through the summer months that will require staff to be on duty.

MR. SPEAKER: The Honourable Member for Emerson.

MR. GIRARD: Yes, Mr. Speaker, one more question. I wonder if the educational leave that has been granted for those civil servants in the past for purposes of study have now been discontinued.

MR. MILLER: Mr. Speaker, the suggestion of "discontinued" has a ring of finality about it. I don't think it's a matter of discontinuing; it's possible that this year, because of the need to have instructors in the classroom, that an individual may not be able to take the educational leave he might want to take, but there's nothing final about it. It doesn't mean that they will never have educational leave. It's a matter of really dealing with the question of servicing students and it is the intention of this department, while I'm head of it certainly, and I think of government, that our institution should be maximized as the member opposite has always urged that we do this.

MR. SPEAKER: The Honourable Member for Rock Lake.

MR. HENRY J. EINARSON (Rock Lake): Mr. Speaker, I direct this question to the Minister of Municipal Affairs. I have done so on two different occasions and the Minister indicated . . .

MR. SPEAKER: Question please.

MR. EINARSON: . . . that he would have an answer for me today. The question relates to the senior citizens' home at Cartwright. Could the Minister now indicate the circumstances?

MR. SPEAKER: The Honourable Minister of Municipal Affairs.

MR. PAWLEY: My apologies to the Honourable Member for Rock Lake. I have the information; it was my intention to rise to indicate the answer to the question which he first posed on Tuesday. The project at Cartwright has been approved in every respect by Central Mortgage and Housing Corporation, by the Manitoba Housing and Renewal Corporation. Land has been obtained. But I am informed that there have been some difficulties in obtaining the transfer of the land, obtaining clear title to the land, because of encumbrances. I am assured, however, that every effort is being made to eliminate the encumbrances from the land that is being purchased in Cartwright so that we can proceed with the construction.

MR. SPEAKER: The Honourable Member for Rhineland.

MR. JACOB M. FROESE (Rhineland): Mr. Speaker, I have a few questions for the Minister of Mines and Resources. How was the 90 cent on the dollar payment to the 600 creditors of Churchill Forest Industries arrived at?

MR. GREEN: By negotiation, Mr. Speaker.

MR. FROESE: What was the basis of the evaluation on this?

MR. GREEN: We would like to have paid as little as possible; they would like to have gotten as much as possible.

ORAL QUESTION PERIOD

MR. FROESE: What will this payment amount to in total?

MR. GREEN: Mr. Chairman, that figure was given and I can't recall it, but it was given. I'll have to get it for my honourable friend again.

MR. SPEAKER: The Honourable Member for Rhineland.

MR. FROESE: I have a further question to the same Minister. Has any pressure been put on the press not to report on the court case taking 170 days in regard to the Commonwealth Construction, and ordered not to affect the MDC adversely?

MR. GREEN: Mr. Speaker, if pressure was taken on the press it would have been taken by someone other than anybody in this government. I don't know what pressures the press yields to and which they don't yield to. I've been in politics for ten years and I've never been able to find that out.

MR. SPEAKER: The Honourable Member for Rhineland.

MR. FROESE: What is the net worth of CFI going to be now that the province owns it completely?

MR. GREEN: Mr. Speaker, I guess that is determined by finding a willing buyer and a willing seller. The Commission, I suppose, is going to comment on some of those aspects but the question of what worth something has is a very complicated question to answer.

MR. SPEAKER: The Honourable Minister of Tourism and Recreation.

HON. LAURENT L. DESJARDINS (Minister of Tourism, Recreation and Cultural Affairs) (St. Boniface): Mr. Speaker, a few days ago the Honourable Member from Assiniboia asked me about a status report on Hecla Island Provincial Park - that is, the acquisition. I'd like to tell him that out of a total ownership of 92, we've completed acquisitions with 68 of them. The acquisitions pending resulting from expropriation is 24. There is one case before the Court of Appeal, five ownership remaining on Hecla Island, and nine receive annual permits issued for occupancy rights.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SPIVAK: Mr. Speaker, my question is to the First Minister. I wonder if he can indicate whether the government is investigating the possibility of placing price controls on land transactions and on setting limits for the profit on such transactions.

MR. SCHREYER: No.

MR. SPEAKER: The Honourable Member for Thompson.

MR. JOSEPH P. BOROWSKI (Thompson): Mr. Speaker, I have a question for the Minister of Health. I wonder if he could indicate whether he allows the use of drugs by day parole and weekend prisoners in provincial institutions?

HON. RENE E. TOUPIN (Minister of Health & Social Development) (Springfield): Well, Mr. Speaker, it's very difficult to answer the question unless it is known what type of need the individual has, therapeutic needs. There could be cases where methadone, as an example, could be given to the inmates out on parole.

MR. BOROWSKI: Mr. Speaker, I wonder if the Minister could tell us why no charges are laid against weekend and day parole prisoners who bring drugs back into the prison and use them there.

MR. TOUPIN: Mr. Speaker, if I'm informed, or the Attorney-General is informed of prisoners who are peddling dope within the institutions or out of the institutions, they should be prosecuted. No such cases have been brought to my attention that I have not forwarded on to the Attorney-General, and if the Honourable Member for Thompson is aware of some cases he should so inform the Attorney-General.

MR. SPEAKER: The Honourable Member for Thompson.

MR. BOROWSKI: Mr. Speaker, I wonder if the Minister could undertake to find out how many prosecutions there have been in 1972 as a result of guards reporting drug usage in institutions.

MR. SPEAKER: Order, please. That would be better for an Order for Return. The Honourable Member for Wolseley, Leader of the Liberal Party.

MR. ASPER: Mr. Speaker, to the Attorney-General. It relates to the answer he gave a few moments ago indicating that the Ombudsman had his responsibility to this Chamber. I wonder if the Attorney-General would indicate whether or not the government intends to bring the Ombudsman to any committee of this Legislature so that his report can be discussed or so that he can be questioned on the issues he's raised and given the guidance he has sought in his report, Mr. Chairman?

ORAL QUESTION PERIOD

MR. SPEAKER: The Honourable Attorney-General.

MR. MACKLING: Mr. Speaker, if the honourable member would take the time to read the report in its entirety and to read the Act and understand the workings of Ombudsmen elsewhere in North America and throughout the world where they have been appointed, he would appreciate the role and function of the Ombudsman and wouldn't be asking the silly question he's asking now.

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

MR. ASPER: Mr. Speaker, to the Attorney-General. Is it not a fact that the Ombudsman appears before the Legislature and its committees in Alberta?

MR. MACKLING: Mr. Speaker, if the Ombudsman appears, as and when the Legislature requires him to appear.

MR. ASPER: Mr. Speaker, to the Attorney-General. In view of the serious charges or dangers . . .

MR. SPEAKER: Question please.

MR. ASPER: . . . and the request by the Ombudsman for guidance . . .

MR. SPEAKER: Question please.

MR. ASPER: . . . does the Attorney-General have any intention of bringing the Legislature Committee to sit to hear the Ombudsman and to give him the guidance he seeks?

MR. MACKLING: Mr. Speaker, first of all I would categorically deny that there are serious charges against individuals that the honourable member is talking about. Well, you know, now he is equivocating from his seat, Mr. Speaker. I deny the supposition that's in his question, and as to if and when it's necessary for the Ombudsman to report, that's a decision by this Legislature.

MR. ASPER: My question, Mr. Speaker, is to the First Minister. Will the government support the bringing of the Ombudsman to a Committee of the Legislature to discuss his report?

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: Well, Mr. Speaker, I welcome the question because it affords me an opportunity to answer. Obviously the Honourable Member for Wolseley interprets Page 69 differently than I do, probably because he wants to. If there is a matter which is serious in the opinion of the Ombudsman, and is weighing heavily on him, I will certainly, I will certainly communicate with the Ombudsman to afford every opportunity to indicate directly what the nature of the problem is in more specific terms. I would think, Sir, that the question of maladministration, which is really what the Ombudsman is empowered to look into in all its details and ramifications, relates very directly to any possible conflict of interest on the part of any employee of the Crown. Therefore I do believe that the Act at the present time does give ample scope and opportunity for full investigation and reporting thereon, because any possible conflict of interest relates directly to maladministration both in actuality and in its potential.

Now, insofar as bringing the Ombudsman before a Committee of the Legislature, frankly - what is it? fourteen years ago, thirteen years ago - when the concept of Ombudsman was first broached in this Assembly I was one of those who did so, Mr. Speaker, and I have no objections whatsoever to having an Ombudsman before a Committee of this House, but I will look at statute law to see what provision is there and what the honourable members voted for.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SPIVAK: Well, Mr. Speaker, I wonder if I can direct my question to the First Minister, not in the context of the issue that is now before the House or that has been discussed, but rather generally dealing with the position of the Ombudsman and the manner in which he operates. Would it not be advisable and would the government not consider the possibility of bringing the Ombudsman before a Committee of the Legislature, possibly Law Amendments, for a discussion generally of the manner in which he operates and the way in which he discharges his obligation? We have his report but would it not be advisable that he now be brought before Committee for a general discussion?

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: Well there's two parts to this, Mr. Speaker. Certainly there has to be ample opportunity to ascertain the facts with respect to Pages 68 and 69. It is not my impression there is anything serious, but let us not have anything veiled, on the other hand, so we will attempt to get information on that and I rather hope that the Attorney-General or the Minister reporting for the Housing Renewal Corporation will, during the course of their

ORAL QUESTION PERIOD

(MR. SCHREYER cont'd) Estimates, be able to provide the whole plenitude of information with respect to whatever is implied or indicated directly or indirectly on Pages 68 and 69. On the question as to whether or not the Ombudsman is to come before a Committee of this House, Mr. Speaker, that is not a question upon which I will give a reply off the cuff, extemporaneously here and now, it will be taken under consideration.

MR. SPEAKER: The Honourable Member for Wolseley state his matter of privilege.

POINT OF PRIVILEGE

MR. ASPER: I don't wish to wait until Hansard is published to make this statement but, because of the nature of the Attorney-General's reply, I want to state categorically that I am not in any way suggesting, in the line of questioning that I took this morning, anything veiled or any impropriety by any employee, but that the principle of the question of disclosure by employees of potential conflict of interest is all I seek, not any attack or charge against a particular employee. I want, as a matter of privilege, the record to be very clear.

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: Mr. Speaker, that last statement displays a "cuteness".

ORAL QUESTIONS (Cont'd)

MR. SPEAKER: The Honourable Member for Brandon West.

MR. EDWARD MCGILL (Brandon West): Mr. Speaker, my question is for the Honourable the Minister responsible for Manitoba . . .

MR. SPEAKER: Order, please.

MR. SCHREYER: Not "acuteness".

MR. SPEAKER: The Honourable Member for Brandon West.

MR. MCGILL: Mr. Speaker, my question is to the Honourable the Minister responsible for Manitoba Development Corporation, with reference to the meeting of the Standing Committee on Economic Development on Monday, April 29th. Would the Minister endeavour to make available to the members of the Committee those audited financial reports relating to those companies in which he has equity position, and for which an Order for Return has been received? Would he make them available in advance of the meeting on Monday?

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

MR. GREEN: Mr. Speaker, they will be available at the meeting. I indicated to my honourable friends earlier that it is my impression that them being available at the meeting will be the best form of proceeding. If honourable members then say that they haven't had time to deal with them, the meeting will be adjourned. I assure the honourable members that there will be another meeting at which they can look at the statement plus any explanations that might be made immediately and deal with those questions at the following meeting.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SPIVAK: To the House Leader and to the Minister of Mines and Natural Resources. Does he honestly believe that any accountability can be taken by this Legislature with the procedures that he is suggesting?

MR. GREEN: Mr. Speaker, I believe that this is the best way of proceeding. The honourable members will have the statements at the meeting, they will have time to deal with those statements, I am assuring them; there will be a reconvening of the meeting and they will be able to spend whatever time they like in dealing with the statements. And I'll tell my honourable friends frankly what I am concerned with. I'm concerned with the statements being sent to them and then making statements on them and other people making statements on them before the corporation has reported.

MR. ASPER: To the Mines Minister, Mr. Speaker. Is it not a fact that under the Manitoba regulations, Companies Act, Securities Commissions and so on, and the practice throughout Canada, is that the shareholders receive their reports in the mail at least two weeks prior to having to go to a meeting and discuss them, and is it not a fact, Mr. Speaker . . . ?

MR. SPEAKER: Order please. Order please. The honourable member is again using an argumentative question.

MR. GREEN: The Manitoba Development Company report was issued not two weeks but . . . Mr. Speaker.

MR. SPEAKER: Order please. Order please. Would all honourable members sit down

ORAL QUESTION PERIOD

(MR. SPEAKER cont'd) so I can state the point or order, that I'm trying to control your rules and none of you pay attention when I ask for order. Order please. Now let me indicate again this is the question period. The questions are supposed to be brief and confine themselves to the narrowest limits, and I find members getting up continually and debating their particular question, and I would ask for the co-operation of all the honourable members. I would suggest to them that some of the areas that they are trying to discuss in the question period would be much more suitably discussed in the estimates in front of any particular Minister in whose jurisdiction the particular matter is, but that we should not utilize the question period for debating issues in respect to whether something is one way or another.

The other point I wish to make in respect to the question of the Honourable Member for Wolseley was that he was asking for a legal opinion or an interpretation. That too is against Beauchesne's Citation 171. May we proceed? Does the Honourable Minister of Mines and Resources wish to reply to the point of order?

MR. GREEN: Mr. Speaker, I didn't wish to reply to the point of order, but where a member has left a statement on the record. Well, Mr. Speaker, I'm speaking on the point of order; I'm not replying to the point of order, but I'm speaking on the point of order. I wish to speak on the point of order because the Honourable Member for Wolseley has left a remark on the record relating to private companies, and suggesting that we are dealing in any way differently, and I believe that I should have the right, Mr. Speaker, to clarify the government's position with respect to that remark, and I would like to do so.

MR. SPEAKER: The Honourable Member for Lakeside.

MR. HARRY J. ENNS (Lakeside): . . . as a neutral observer to the points of order being discussed, but I can't help but observe, Mr. Speaker, that all too often a question is asked from the benches of the Opposition, it is aborted in mid-questioning as being ruled out of order by you, Sir - and probably correctly by you, Sir - but then any member of the government gets up and gives a full and responsive reply to that question that has been ruled out of order by you, Sir, and that to me, Sir, I would suggest is out of order. We have discussed that once before, that if the question is out of order then surely the reply is out of order, and I think what the Minister of Mines and Resources and the House Leader is attempting to do right now is attempt to make a full and complete reply to a question that you ruled as being out of order.

A MEMBER: You're right, Harry. You're right.

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

MR. ASPER: Mr. Speaker, the question I believe is quite in order because it relates to a question put in this Chamber which I'm bringing to the Speaker's attention, that several weeks ago I put a question to the Mines Minister and the question was, would he make available to the members of this side the same financial information the same way shareholders of public Canadian corporations receive their information? His answer was, they will receive more. It then became proper for me, Mr. Speaker, in the light of his answer to the Leader of the Opposition, that no information would be given before committee to ask if he was not now . . .

MR. SPEAKER: Order please. Order please. The honourable member is trying to . . . Order please. The honourable member is trying to rationalize his particular - - Would he like to hear what I have to say? I would suggest he read Beauchesne Citation 171. Orders of the Day. The Honourable Leader of the Opposition.

MR. SPIVAK: Mr. Speaker, my question is to the House Leader, the Minister of Mines and Natural Resources. I wonder whether he could indicate to the House whether the Manitoba Development Corporation has in its possession the audited statements of those corporations in which the government has equity.

MR. SPEAKER: The Honourable Minister of Mines.

MR. GREEN: Mr. Speaker, I believe that it would have the last statement of each one. It might not have the last fiscal year statement but there would be a statement for each one concerned. I want to indicate to the honourable member, Mr. Speaker, that the Manitoba Development Corporation report was made some time ago, that in that respect the report to the shareholders has already been issued. What my honourable friend is now talking about is a report from the Royal Bank of Canada which has loans to companies saying that the statements from those companies have to be sent . . . to shareholders as well, which is ridiculous.

MR. SPEAKER: Order please. Order please. Order please. I would suggest that what I suggested in regard to debate during the question period applies to all members. Order please.

ORAL QUESTION PERIOD

(MR. SPEAKER cont'd) Orders of the Day. The Honourable Member for Brandon West.

MR. MCGILL: Mr. Speaker, my question is for the Honourable First Minister relative to a question put to him a few days ago with respect to the annual statement of A. D. McKenzie Company Limited. As a result of his research, is he now prepared to table that report in the House?

MR. SCHREYER: Well, Mr. Speaker, we're certainly fully intending to do that which has been done before in that respect.

MR. SPEAKER: The Honourable Member for Ste. Rose.

MR. A. R. (Pete) ADAM (Ste. Rose): Thank you very much, Mr. Speaker. My question is for the Minister of Agriculture. According to the Swan River report, April 17th, there is need for a clinic in Swan River area. Could the Minister advise me if there are any meetings taking place at the present time with the department for that particular purpose?

HON. SAMUEL USKIW (Minister of Agriculture) (Lac du Bonnet): Specifically, Mr. Speaker, I'm not aware as to whether there are negotiations ongoing with respect to veterinary services in the Swan River Valley. I presume that there may be, and if they are that perhaps my honourable friend might inform me.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SPIVAK: Mr. Speaker, my question is for the Minister of Mines and Natural Resources. I wonder if he can indicate to the House whether he as Minister has had an opportunity to review the latest financial statements of those corporations in which the government has equity.

MR. SPEAKER: The Honourable Minister of Mines.

MR. GREEN: Mr. Speaker, I have not reviewed each of those statements. The question as to whether I have had an opportunity to review them, I suppose I could have called upon the Fund to send me the statements so that I could review them. I have not reviewed each of those statements, I have seen some of them, and Mr. Speaker, I do believe that I'm entitled to arrive on a point of clarification in any event, that I told my honourable friend that more information will be available to the Legislature regarding the activities of corporations which the Crown owns, and the one that he raised this question on was Churchill Forest Industries.

A MEMBER: That's wrong.

MR. GREEN: if he will go back to Hansard he will see that. The following day, Mr. Speaker, I indicated, the following day I indicated that I was referring to corporations where we are the owner fully of the corporation, that where it is a subsidiary I am still satisfied that the Manitoba Development Corporation will give more information about its subsidiaries than any private corporation gives of its subsidiaries to its shareholders.

MR. SPIVAK: My question is to the Minister of Mines and Natural Resources. I wonder if he can indicate whether the Cabinet or a committee of Cabinet reviewed any of the financial statements, the latest financial statements of those Crown corporations, of those corporations in which the Crown has equity.

MR. GREEN: Well, Mr. Speaker, I believe that I answered these statements previously with regard to myself as the Minister responsible.

MR. SPIVAK: Mr. Speaker, I again put it to the Honourable Minister of Mines and Natural Resources: has the Cabinet or a committee of Cabinet . . .

MR. SPEAKER: Order please. The question is repetitive. The Honourable First Minister state his point of order.

MR. SCHREYER: My point of order, Sir, is that it is not in order to ask whether Cabinet has conducted a particular point of business or whether it has resolved itself into a committee or sub-committee thereof. These questions having to do with Executive Council function are not in order.

MR. SPEAKER: The point is well taken. The Honourable Leader of the Opposition.

MR. SPIVAK: Mr. Speaker, yes. I rise on a point of order and it comes from the explanation that the Honourable Minister of Mines and Natural Resources has given to the House today and has given during the period of time of his estimates, and it has to do with the review by the shareholders of the financial positions in which there are investments, in which they have an investment, and the reference has been made . . .

MR. SPEAKER: Would the honourable member state his point of order?

ORAL QUESTION PERIOD

MR. SPIVAK: Mr. Speaker, I am going to state my point of order.

MR. SPEAKER: Well, I'd like to hear it.

MR. SPIVAK: The honourable member has indicated that the people are shareholders, they are protected through the government, the government . . .

MR. SPEAKER: Would the honourable member state his point of order?

MR. SPIVAK: Yes, Mr. Speaker . . .

MR. SPEAKER: I do not wish to have a debate or a speech before a point of order.

MR. SPIVAK: Mr. Speaker, my point is simply, at what point who is reviewing on behalf of the people of Manitoba, the financial audited statements of those corporations . . . ?

MR. SPEAKER: That is not a point of order - that's a question. The honourable -- order please -- one person at a time. The honourable member may finish his question, but it is not a point of order.

MR. SPIVAK: Well, Mr. Speaker, I will then put the question to the Minister of Mines and Natural Resources. He has given indication that he has not reviewed . . . -- (Interjection) -- All right. Has the government reviewed the latest financial statements of those corporations in which the Crown has an equity interest?

MR. GREEN: Mr. Speaker, I indicated during the talk on my estimates that the government accepts this responsibility by setting up a corporate structure, the Manitoba Development Corporation Board, which handles those matters for it, but in addition to that, in addition to that which is the way the government has an ultimate responsibility which it can exercise from time to time, and the government brings that report plus the corporation to all of the members of the Legislature so they too can conduct the same review.

MR. SPIVAK: Yes, Mr. Speaker, to the Minister of Mines and Natural Resources. Has the government directed the Manitoba Development Corporation to indicate to them upon review of the financial statements, the latest financial statements of those corporations in which the Crown has equity, any indication of any substantial loss? Is there an obligation for the corporation to report that to the government?

MR. GREEN: Mr. Speaker. That is not only reported to the government, Mr. Speaker, but it's right in the statement of the Manitoba Development Corporation which was filed with the Legislature, and the Honourable Member for Brandon West quite properly brought it up and indicated that on some of these corporations there's a speculated projected six million-dollar loss in operations.

MR. SPIVAK: Does the government receive any information from the Manitoba Development Corporation prior to the statement that is published and tabled in the House, indicating any particular loss of any Crown corporation. Is there any obligation on the part of a corporation to in fact bring that and draw that to the government's attention before publication of the report of the Manitoba Development Corporation?

MR. GREEN: Mr. Speaker, there is an attempt by the government to permit the Manitoba Development Corporation Board to operate as a board. On the other hand, there is also a relationship which can't be definitively and in a series of sentences described, whereby the board communicates with the government from time to time, the government communicates with the board from time to time, and if some crisis was arising I presume that that relationship would result in communication.

MR. SPIVAK: To the Minister of Mines and Natural Resources. Will the financial statements to be produced at the Standing Committee have been reviewed by the members of the Executive Council prior to its presentation to the Standing Committee?

MR. GREEN: Mr. Speaker, you know, the honourable member was a member of the administration, would like to continue to be a member of the administration. The manner in which the administration conducts its detailed operations cannot be the subject of normal and continued discussion in the House.

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

MR. FROESE: Mr. Speaker, I have a question for the Honourable the Minister of Agriculture. Could the Honourable Minister indicate to the House, does the Government of Manitoba subscribe to the views of the Honourable Otto Lang, that 4,800 grain elevators throughout the provinces are too many, implying that we have excessive storage in grain elevator facilities. And what is the government's position on this matter?

MR. SPEAKER: The Honourable Minister of Agriculture.

ORAL QUESTION PERIOD

MR. USKIW: Mr. Speaker, the government's position is that it's working in co-operation with the other two prairie provinces on studies relating to grain handling and transportation.

MR. FROESE: A supplementary then. Will Manitoba's position be presented on this matter at the July meeting of the western provincial leaders?

MR. USKIW: Mr. Speaker, I would presume that the three prairie provinces' position will be presented at some point.

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

MR. BOROWSKI: Mr. Speaker, I have a question for the Minister of Health. In view of his revelation that they use methadone as a method of treatment for heroin addicts, I wonder if he is not aware of the fact that the medical doctors in the United States have found that methadone is just as addictive as heroin.

MR. SPEAKER: The Honourable Minister of Health.

MR. TOUPIN: Mr. Speaker, I never intended to be an expert in the treatment of those that are addicted on drugs, and this is definitely an opinion of professionals, and apart from methadone being a method of withdrawal treatment for those that are addicted to drugs, there are other treatments and other drugs being used.

MR. BOROWSKI: Mr. Speaker, I wonder if the Minister has read American Medical Association's report where methadone treatments have proven successful in treating heroin but are just as addictive.

MR. SPEAKER: Order please. Order please. I fail to see the relevancy of the question to the procedures of this House. The Honourable Member for Lakeside. The Honourable Member for Thompson.

MR. BOROWSKI: Mr. Speaker, I would like to rephrase my question and ask the Minister if he is aware that methadone treatment is just as addictive as heroin.

MR. SPEAKER: Order please. That too is not relevant to the procedures of this House. The Honourable Member for Lakeside.

MR. ENNS: Mr. Speaker, I direct a question to the Honourable the Minister of Mines and Natural Resources. It is a question that he may wish to take as notice. Earlier in the spring, officials of his staff in the Water Control Department undertook to do certain minor works to maintain the levels of waters in the St. Ambroise and Lake Francis marshes. I wonder if he could ascertain or ask his department whether or not the work will be proceeded with this summer, or can he confirm the fact that they will be done this summer?

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

MR. GREEN: Mr. Speaker, I will take the question as notice.

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: Mr. Speaker, I move, seconded by the Honourable Attorney-General, that Mr. Speaker, do now leave the Chair and the House resolve itself into a committee to consider of the Supply to be granted to Her Majesty.

MOTION presented and carried, and the House resolved itself into a Committee of Supply, with the Honourable Member for Logan in the Chair.

SUPPLY - ATTORNEY-GENERAL

MR. CHAIRMAN: Order please. The Honourable Member for Morris.

STATEMENT

MR. WARNER H. JORGENSEN (Morris): If I may rise on a question of privilege just for a moment. I want to draw attention to Honourable members the little pamphlet that they have just received on their desk; it relates to the bill that is now on the Order Paper standing in my name. And if honourable members are interested, I've arranged with the owner and the manufacturer of this plant who lives in St. Jean to have a couple of those machines outside the Legislature in the front at 12:30. If anybody wants to have a look at them or even drive them they're welcome to do so. (applause)

SUPPLY - ATTORNEY-GENERAL

MR. CHAIRMAN: The Honourable Attorney-General has 25 minutes remaining.

MR. MACKLING: Well, Mr. Chairman, I was responding to some of the contributions that had been made and had remained unanswered or to which I had not had an opportunity of

SUPPLY - ATTORNEY-GENERAL

(MR. MACKLING cont'd) . . . reply. And I think I was dealing with the Honourable Member from Rhineland's contributions in respect to the operations of the department, and his concerns in respect to certain matters of the operations of the Liquor Control Commission. I think I dealt with his concerns about the adequacy of . . .

MR. CHAIRMAN: Order please. I wish that the members would try and be a little bit courteous when an honourable member is on the floor trying to make - and especially when the Minister - now you all profess interest in the Estimates and all I can hear is chatter chatter chatter all over this Chamber and I think it's time that . . .

MR. HARRY J. ENNS: . . . on a point of privilege. It's been drawn to my attention by the Honourable the House Leader that that kind of discrimination should not go unpassed. The Minister has no more privileges in this House than any other member and that if we are -- (Interjection) -- . . . that courtesy to any . . .

MR. CHAIRMAN: Order please. Order! I quite agree with the honourable member, and when the honourable member is on the floor I try to maintain decorum in this Chamber. But it is at least, I as Chairman, should have the courtesy of being able to hear what the Honourable Minister is saying. Now order please. The Honourable Attorney-General. And I shall not dock you the time.

MR. MACKLING: Thank you, Mr. Chairman. I would like to agree with the Honourable Member from Rhineland that the revenue report, the statements contained in the report of the Liquor Control Commission, the 49th Annual Report, reflect a high return on the operations of this controlled industry. He was reflecting on the magnitude of the amount that the Federal Government receives, and I appreciate his drawing attention to that fact, that there's approximately 29 -- I'm rounding the millions -- approximately \$29 million that the Federal Government receives and I'm not aware of contributions by that authority in respect to alcohol rehabilitation of any kind, or alcoholic diseased victims' rehabilitation, and it's a matter of concern that agencies that receive large amounts of revenue from the sale of intoxicating beverages should be playing an effective role. I think that you'll note that when we deal with the budget of my colleague the Minister of Health and Social Development, those concerns have been reflected; there have been steps taken in the past year particularly for much more substantial effort in that field. And I'm sure the honourable member will have an opportunity of asking questions about that when my colleague's Estimates are before the House.

Now the honourable member was concerned about the sales taxes. How they come about is that there are sales taxes when commodities, alcoholic beverages are sold retail by licensees, that is by restaurants, by cabarets, and so on, and that's where sales tax is collected in the volume that was referred to by him, and I think his estimate or his reference to about 5.3 million dollars reflects that. There is a very substantial collection of sales tax at that time.

Now I'd like to move to the contributions of my colleague in the caucus, the Honourable Member from Ste. Rose, who's concerned to identify a number of areas. He was particularly concerned to put on the record the fact that the problem in respect to nightlighting or jacklighting of wild animals, particularly deer, is recognized as a problem, particularly in rural Manitoba, and I have indicated already that we certainly recognize the gravity of the problem. It's a very difficult one to deal with because of the broad operations that are involved, the fact that this kind of activity is carried out at night, and it's extremely difficult to enforce. However, I can assure honourable members that the enforcement officers of the Wildlife Branch have been very effective in apprehending a fairly consistently large number of people, and I concur with the observations of the Honourable Member from Ste. Rose that there are a great number of people who have been involved in this practice, who certainly are not of native origin, and I can personally attest to that fact by the applications for remissions from time to time that I peruse where there has been a confiscation of a vehicle involved in the apprehension. And it's not a simple problem dealing with -- and I now deal with the observations of a number of members of Opposition as well -- to deal with this question of nightlighting or jacklighting.

There have been concerns expressed about this in the past and I think there has been a mounting concern. At one stage I think we were all hopeful that there was going to be some very effective remedy brought about by the voluntary withdrawal of various Indian bands from participating in this. There was some suggestion that by mutuality of agreement there would be a foregoing of rights in respect to hunting. That I don't think has come about. There may

SUPPLY - ATTORNEY-GENERAL

(MR. MACKLING cont'd) have been some areas or some individuals bands: that have made a decision and are discouraging or have in fact withdrawn from that practice, but it's been a longstanding problem. I appreciate the concerns of those who have spoken in connection with it. But personally speaking I think that night hunting by anyone is a very dangerous practice and I would like to see it discontinued.

Now there are some problems of jurisdiction because as the honourable members have indicated, the highest courts in the land have indicated that native people have, as of right, the opportunity to hunt for wild game under circumstances that go beyond the regular administration of wildlife that our laws reflect.

Now the Honourable Member from Pembina made a contribution, Mr. Chairman, but he was unintelligible to me and perhaps he can put it in more precise form later. I would like to catch all significant arguments from time to time.

Now the concerns again in respect to rustling, and I've indicated that I have received advice from colleagues in caucus, and otherwise, about the serious nature of this problem. And as I've indicated I hope that before this session is out to have something further to say in connection with this matter. There has been an ongoing concern. I will be again communicating directly with our chief law enforcement officers - these concerns and we'll be probably able to assert more priority of attention in some of these areas.

Now there was I think some suggestion on the part of some member of this House or otherwise, I'm not sure, that perhaps the Game Branch officers who are in the field in the concern about night lighting for wild animals, could also be observers in connection with the operations of trucks that might be involved in rustling or animal slaughtering operations. And I think that observation will be pursued as to its viability because I would think that there is now already a very close co-operation between the Game Branch officials and the mounted police in connection with infractions of the law generally. And I would trust that it includes that kind of co-operation in respect to the operations of vehicles that may be involved in the rustling of cattle or the theft of cattle by slaughter. But I will check and make sure that the most effective co-operation is in being in respect of those two agencies.

The Honourable Member from Gladstone was concerned about a couple of specific matters in his constituency dealing with a restaurant operation that he feels ought to be given a licence. -- (Interjection) -- Pardon me. Well I don't know what the honourable member is alluding to. He did, as I recall, refer to a specific restaurant that he felt should receive . . .

A MEMBER: . . . referred to the Member from Gladstone again, I just wanted to make . . .

MR. MACKLING: Oh I'm sorry, I'm sorry, I'm sorry. Yes I was referring to the Member from Gladstone and I'm looking at the Honourable Member from Virden and he assumes that I'm talking about him but I was talking about the Honourable Member from Gladstone. -- (Interjection) -- I see. He has such an attractive visage that from time to time my eyes are wont to look upon it. -- (Interjection) -- But even though I might continue to look at some honourable members from time to time I don't want them to feel that I'm necessarily talking about them however attractive they may be.

No, Mr. Chairman, I just wanted to indicate that in respect to individual application for the various licenses, the Commission License Board does weigh the criteria very carefully and I assume exercise reasonable common sense in respect to when and under what circumstances a licence, an individual licence will be granted. And I have no concern directly in respect to how those criteria are applied so long as they are applied fairly and properly. Now what I can do is ask the Commission to assure me that there has been no deviation from the standards that are applied uniformly in respect to the various applications and I think that is as much as I can commit myself to doing.

Now I think that I did respond to the concerns of the Honourable Member from Rock Lake who was making observations in respect to the role of the Ombudsman, and so on. Now maybe I've got an earlier note - I was working in reverse and now I started from the top so that's why -- I had dealt with those questions.

The Honourable Member from Pembina was concerned about a number of matters dealing with judgments, concerned about how people can really collect judgments if they get them; they can be relatively meaningless. Referring to certain cases involving disparity he felt in the treatment because in some instances people received fines or judgments in respect to

SUPPLY - ATTORNEY-GENERAL

(MR. MACKLING cont'd) litigation, and he contrasted that with an observation that in a hit and run accident where there was a fatal injury there was a relatively small sentence. I can only indicate to the honourable member that you must not compare two different types of action. You weren't comparing, if I can use the colloquial, apples with apples but apples with oranges. In respect to the matters he was referring to about judgments, presumably they are judgments brought in a civil action in connection with an automobile case. Whereas in dealing with the hit and run case that he referred to, and there are many hit and run cases -- far too many that occur. Some involve personal injury. But where they do, and I think the one he was referring to was an involvement of the Crown in the public prosecution of the person involved. There is always a private right of action and that is as it should be. There may well be in particular hit and run cases where there are sizeable judgments recorded in addition to any other imposition that may occur under the public law.

I think that I've dealt with most of the observations that have been made. A great many of them did deal with the area of jacklighting and nightlighting, and as I've indicated, Mr. Chairman, that is a matter of serious concern, and I recognize that frankly, and we will do and are continuing, we have done and will continue to do our best to minimize this problem but it is not an easy one to respond to because of the overlapping jurisdictions and the protections that are provided, both historically by Treaty and by the application of the common law in the determination of cases in this area that have been brought before the courts.

MR. CHAIRMAN: The Honourable Member for Thompson.

. . . . continued on next page

SUPPLY - ATTORNEY - GENERAL

MR. BOROWSKI: Mr. Speaker, I have a few comments to make on the Attorney-General's Estimates. First of all I would like to go back to the beginning and comment on his department, his Executive Assistant who has worked very hard and has been of great assistance to those of us on this side, I would like to thank him for the hard work he has done. I think he's probably one of the most capable Executive Assistants in the Legislature, along with Art Wright, the one for the Minister of Labour.

Now, Mr. Speaker, I'd like to deal with some of the things that the Attorney-General indicated or replied to when I spoke last.

He used the old technique of absolving himself on some issues by simply transferring the blame or responsibility to someone else. Regarding the Human Rights Commission when I complained about people of 40 years old that are the forgotten group in our society he said, well the Human Rights Commission is just a recent body and they simply can't deal with all the problems in Manitoba. And I agree. I was not appealing to the Human Rights Commission, nor was I blaming them. We did not elect the Human Rights Commission, the people of Manitoba elected this government, and we look and appeal to them for changes, and I think the Attorney-General is being most unfair by saying that somehow it's the Human Rights Commission that must right these wrongs. He is the Attorney-General and his government has the responsibility and the jurisdiction to make those changes, and I hope that before this Session is over that he will make some changes in his department even if it's necessary to bring in a bill, though I do not think it's necessary to bring in a bill in a free society where you have to force employers to hire someone who has reached that magical age of 40.

The other item, Mr. Chairman, that he sloughed off was divorce. He said that everybody knows that it's a federal law and therefore why should I be blaming him. Well, Mr. Speaker, I know the laws in this province that are under his jurisdiction and those that are federal but he is in the final and the last analysis, he is responsible for the enforcement and dealing with them. And when the government makes money available to pay for divorces so they are indirectly interfering and therefore making it easier or more difficult, and that, Mr. Chairman, he could not escape, and I suggest by making moneys available he is treating marriage like a pop bottle philosophy, no deposit no return, just throw it away.

Mr. Chairman, he has told us already that the criteria that he uses is not whether the marriage has got any chance of being saved or not, he is basing it strictly on economic basis. That means, Mr. Chairman, if you are poor whether you've got a good case for divorce or not, you're going to get assistance. He is not saying that if you have really a bad marriage then we will give you the money for the divorce. He is using the crude criteria of saying if you're poor even if it's frivolous we will give you the money. Well that is what the Minister said when he replied. They're giving it to the poor. Well poor can abuse that also, and I suggest it is being abused, and I suggest that he read some of the research that has been done by the editorial staff of both papers who have written about this. And I think that's a terrible way to deal with a situation which I have stated, and will state again contrary to the views of some of his colleagues, that marriage is a most sacred institution and should not be treated in a callous and disinterested method, or way that the government is dealing with it. -- (Interjection)-- Well, Mr. Chairman, the Minister had made his statement, and if I am misquoting him, and if I am stating something that is contrary to the facts, then he can certainly get up and show us the evidence. One of the reasons I put an Order for Return is because I have been told that people have applied for divorce on frivolous grounds like in the United States they get it for -- the wife burns the toast and her husband asks for a divorce, and the only criteria that the government is using is if he's poor it doesn't matter what the reasons are, give him the money. And he called that reform, Mr. Speaker. Well I don't call that reform and I suggest that he take a very close look at that.

Mr. Chairman, I noticed in the report that I have read that they are paying for drug pushers, and in one case where Americans, who were smuggling in counterfeit money, counterfeit American money, now I suppose he calls that reform. I don't think the people of Manitoba call that reform. They are paying for rape cases which was a capital punishment until '54, I believe, when the law was changed. In one case they've paid \$1,367 to defend a rapist and, Mr. Chairman, I think if there is any crime in society that women fear most it is being raped. Now here we have the government using public funds to pay for the defence of rapists. Now if

SUPPLY - ATTORNEY - GENERAL

(MR. BOROWSKI cont'd) he wants to call that reform. I suggest that when the next election comes along that he get up on a platform and tell the people of Manitoba that he believes that paying for rapists, defending rapists, is reform, because that is precisely what they are doing. I suggest, Mr. Chairman, by the abuse that this government is guilty of by using funds in these, they have really made reform a four letter word, and I am -- Mr. Chairman, I must be fair, I can't honestly blame the Attorney-General because it's government policy and I know the Attorney-General, as I have said on many occasions, is probably one of the best attorney-generals this province has had for a long time if perhaps not the best one we've ever had. But I have no alternative, Mr. Chairman, if I want to speak on these issues I have to speak on his Estimates and direct my remarks to him, and I hope he will not take them personally because I realize the Cabinet makes a decision, he simply carries it out. So I ask him not to take the matter personally.

One of the other lame excuses I have heard, Mr. Speaker, and this seems to be almost an automatic answer, like a preprogram robot answer you get from the government. When you complain about something, they say well you're discriminating against the poor. Whether it's abortion or pornography or drugs, or whatever, they trot out that worn-out argument that well what you're really doing is you're making it tougher for the poor people. And when I spoke about abortion that argument was used, when I spoke about divorce. So he says what the member really wants is to make it difficult for poor people to get a divorce as if to say, and I suppose he believes that, that means if the rich people can afford it whether it's good or bad we should make it available free to the poor. And if we're going to use that kind of logic I suppose that a poor person who can't afford a bottle of vodka or scotch can demand that the government give him money because it is legal to drink, and he can say, look it's legal and I can't afford it therefore I'm entitled to a bottle of Scotch and you guys better give it to me and if not I'm going to charge the government of violating my equal rights or freedom. We can apply that same argument to a car -- and I'm not talking about Cadillacs or Rolls Royce, just an ordinary car. A poor man if he can qualify for a driver's licence is entitled to drive under our laws in this province and if he can't afford a car he could say to the government, I want you to buy me a car and if the government says no, he could say well you are violating my rights because you make it impossible for me to live and to do the things that the wealthy people are doing or the middle class are doing. And I simply want to indicate to them that I think that is a ridiculous answer to give to us when every time we bring in some criticism, that he simply sloughs it off on the basis, well if we do that you're really going to hurt the poor. And I reject that type of a silly argument that he has been putting forth.

It is probably as ridiculous as the argument put forth by the Member for St. Vital who last year suggested that we give out free drugs to people who are hooked on drugs, and we know that there's probably nothing more tragic in our society than a person, in whatever way, got hooked on drugs. He is the most hopeless, the most helpless person in our society. But what was the answer suggested by St. Vital? Well the rich can afford to get drugs and if we don't give it to the guy free he's going to go out and rob and steal and probably kill, and that's true. Now there's no question about it and at that time I answered by pointing out that they've tried this thing in England, and there was no question they've eliminated the drug pushers, and they've eliminated the drug users from going out and committing crimes, but the result is there was a 15 percent increase in drug users, and at the rate they are going it won't be very long before most of the people of England are using drugs. And it seem to me that that is a cruel abandonment of an unfortunate person in the society who we should be helping instead we are assisting him to die in a few years. Because in New York I believe in the last year of figures I've had there was about 1,500 people that have died from drug use, various drugs, overdoses, and simply taking them over a long period of time.

The Minister likes to and the government likes to keep referring to reform, and I suggest that the things that I've talked about are not reform, but there is an area they can get into which I think most of us would consider reform, is housing. Now I know they have given us figures that they have the best record in this province and perhaps maybe on a per capita basis the best . . .

MR. CHAIRMAN: Order, please. The member now is starting to stray off the Attorney-General's Department, he's going into the department of which I believe probably belongs under the Department of Municipal Affairs. I would ask the honourable member to confine his

SUPPLY - ATTORNEY - GENERAL

(MR. CHAIRMAN cont'd) remarks to the department that we're under.

MR. BOROWSKI: Well, Mr. Speaker, I don't want to argue with you. I know that the member, the House Leader has brought in Das Kapital and quoted in here to support his argument, I am trying to draw an analogy, and I think I'm entitled to draw an analogy of what is reform, real reform and what is phoney reform, and I think I should be entitled to talk about reform in the sense that we understand it. We know that we have many people living in dog kennels, they call it slum houses, I call it dog kennels, and it's fine for the government to come into this House and say, well we were the government and in four years we built something like 7,500 new houses. That's wonderful, Mr. Speaker, but I would like the government to go and tell the 43,000 other people who are living in these dog kennels what great guys they were because look only 43,000 are left in these slums and 7,000 are in nice homes. There's a lot of --(Interjection)-- Yes, well there's a lot of room for reform in this province, and I mean reform that I think anybody in any political party can accept. And if they want to go blowing money I suggest that this is an area, perhaps one of the most important areas that the government should be concentrating, and then they can get up in this House and say that they are truly a reform party and doing something that is desperately, Mr. Chairman, desperately needed in this province.

Mr. Chairman, I would like to say to the Attorney-General that he is not going to help the poor by making law-breaking easy. I have said this to my colleagues in Thompson who debated the whole question of reform and abortion, and all the rest of it, and I will say to him that you cannot improve the standard of living of the poor one iota by making drugs or pornography or abortion or divorce easy or on demand, or getting the public to pay for it. I do not call that reform, Mr. Speaker, I call that callous, mindless, dismantling of rules and laws that have been tested and tried through years and years of use, and there's been many governments in this Legislature and in other legislatures, Mr. Chairman, that have found, that have spent a great deal of time getting these laws together into the books and I think that the people of Manitoba do not like the idea of this government embarking on a program of dismantling years of hard work by other dedicated legislatures.

Now, Mr. Chairman, the Attorney-General said that I was being unfair by saying that really the NDP is responsible for all the ills in our society, and I think one of the things that he mentioned was the crime and divorce, that this thing didn't start since the government came in, and that's true. But I'd like to read from the same sheet that the Member for Assiniboia had quoted, some of the things that were said in this report, and let him judge for himself whether there is any connection or not. This is March 7th, 1973, from the Tribune by Dave Sinclair. "Juvenile involvement in crime in the city has steadily been increasing since 1969. There have been 11 boys charged with rape since 1969 while before this time it had been virtually unknown, an unknown crime to juveniles. For the first time more juveniles than adults are involved in crime, and this trend has been increasing for more than four years." Well, Mr. Chairman, I don't have to comment on that. These are the figures and maybe it's coincidence, I don't know. I simply ask the Attorney-General to open his eyes and have a look to see if it's possible that maybe some of the things that they are doing inadvertently are resulting, resulting in this type of thing happening. And I think this is a very serious thing, and he is an Attorney-General who as the chief law officer has some responsibility to look into it and to assure the people of Manitoba that they are going to take action to combat this thing here, and they're not going to pass any further legislation in order to make the situation worse.

We know, Mr. Chairman, that the V. D. rate has skyrocketed and I know it's skyrocketing across Canada, but the figures I have seen shows Manitoba with the highest venereal disease maybe because they've got too many youth hostels, I don't know. But it seems to me that the Attorney-General should tell this House why this thing is happening. We know that pornography and drugs and illegitimacy is on the increase, and I think that he should look into that, the muggings and the break-ins, and I think the report lists all the crimes and it gives in brackets the previous dates and the current date, and the figures for previous years and for the current year, and I think that he has some responsibility to answer to the people of Manitoba why this is so.

Mr. Chairman, when we passed the law of abolishing the censor board I think we recall

SUPPLY - ATTORNEY - GENERAL

(MR. BOROWSKI cont'd) the Minister getting up in this House and saying that in his opinion -- and he said that he had checked this thing out with other people -- by doing this it will make it easier for him to prosecute those who are showing filthy movies. Now, Mr. Speaker, I think the Attorney-General will agree with me that we have more dirty movies this year than we had last year. --(Interjection)-- Well I don't know, but the House Leader says less people go and see them. The only way you can know that is by going there yourself, and Mr. Speaker, I haven't been there, I'll have to take his word for it. All I know, and the point I'm trying to make is there hasn't been a single prosecution. Now was the Attorney-General kidding us, or was he misled by people who were advising him that under the new law, which applies across Canada, that he could prosecute more operators. I am asking him where are these prosecutions that he promised us last year?

I notice, Mr. Chairman, that the Happy Hooker has been - the Happy Hooker's books have been taken off the newstands in Ontario, and I noticed that it's not -- that it's still being sold here. Now I know that the same law regarding filthy books and other printed literature applies in Ontario as it does in Manitoba. I wonder if the Attorney-General could tell us why the law, that same federal law, is being interpreted different in one province from another province? Mr. Chairman, I would like the Attorney-General to tell us why that law isn't being applied the same here as in Ontario. --(Interjection)-- No they're more sensible than the member who just spoke.

Finally, Mr. Chairman, I'd like to deal with the remarks of the Attorney-General which are found on Page 1798, and I'd like to quote what he said first of all. "I want to make it clear that I know that members of my caucus are concerned about the preservation of human life, the dignity of human life whether it be an infant, whether it be an infant or an adult that somehow has gone wrong in society even it be a deformed fetus, even if it be a deformed fetus and there have been many born in our society. I've heard no member, no member even in this House opt for abortion on demand." And then he goes on to say, "yes now but the honourable member has some kind of twisted view towards sanctity of human life because he stands for capital punishment. My God is a redeeming God." Well, Mr. Chairman, I don't want to get personal with the Attorney-General and I have -- I don't recall him misleading this House before so flagrantly and so blatantly. But, Mr. Chairman, the NDP is on record in Ottawa 100 percent in favour of abortion on demand, and the petitions that I have sent out and that you have received, Mr. Chairman, not a single one has been signed and returned by the NDP federally, not a single petition has been signed by those people -- and I am pointing to the government -- not a single petition has been signed regarding abortion, and may I say further Mr. Chairman, that the government has been in communication with Ottawa asking that Ottawa remove abortion from the Criminal Code, which is "abortion on demand." And I think -- I find it shocking that the Attorney-General, who I know, who I know, Mr. Chairman, is personally against abortion, but I find it unbelievable that he should get up in this House and say that those on that side are against abortion on demand. Mr. Chairman, that is just the very opposite, and if they want to hold that position they have every right. I think it's unfair that they should come and mislead this House and mislead the public.

POINT OF PRIVILEGE

MR. MACKLING: Mr. Speaker, I now rise on a point of privilege. I very seldom do but I think it is a point of privilege when an honourable member says that I misled this House. I indicated in my remarks, and the honourable member read them, and he quoted them, and I said that I had not heard any member of this -- in this House, in this House advocate abortion on demand. Now whether any honourable member of this House either on the other side, or on this side, has advocated outside of this House something different, I know not. I haven't listened to all of the arguments that have been made by honourable members in every party that is represented in this House. I'm referring to arguments addressed in this House, and I did not mislead this House and the honourable member should withdraw that statement.

MR. BOROWSKI: Well, Mr. Chairman, if the Attorney-General wants to split hairs, I will withdraw that, and I will simply put it in this way: that his colleagues, the members of the Cabinet, with three exceptions, I think, himself and two others, which I will not name, are

POINT OF PRIVILEGE

(MR. BOROWSKI cont'd) in favour, every single one are in favour of abortion on demand. The fact that they have not said that in this House, Mr. Speaker, doesn't mean very much. They have said it in caucus, they have said it in Cabinet. They are in favour of abortion on demand, and they should have the courage like David Lewis to stand up publicly and say, I'm in favour of abortion on demand.

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

MR. GREEN: Mr. Chairman, I rise on a point of order, Mr. Speaker, the honourable member has said that every person except . . .

MR. CHAIRMAN: ORDER please! If the Honourable Member for Lakeside wishes to rise after the honourable member who is now speaking to make a point of order, I wish he would do so. The Honourable Member for Lakeside knows the rules of procedure of this House. And when an honourable member is on the floor that he will keep quiet, cut out this muttering and chattering that is going on. The Honourable Minister of Mines and Natural Resources.

MR. GREEN: Mr. Speaker, in all fairness to the Honourable Member for Lakeside, it may be that he is so situated that you are -- hear him more readily than you hear some of the rest of us. I would like to indicate, Mr. Speaker, the honourable member has said that every person is in favour of a particular position except three, and I don't know what I want my honourable friend to withdraw but I want to indicate the unfairness of him stating positions for other people. I do not know which three he is referring to; I do not know which of the others are supposed to be in favour of abortion on demand. I have not heard any honourable member in this House make the statement that he is in favour of abortion on demand and therefore I ask in all fairness to the honourable member whether he can make that charge about an unnamed group of people whom he identifies by inference.

MR. CHAIRMAN: The Honourable Member for Thompson.

MR. BOROWSKI: Mr. Chairman, I have just clarified the point because the Attorney-General raised it. I made it clear, okay we'll forget about it. Let's say nobody said it in the House. Let us talk about what was said in caucus and in Cabinet. And I am saying I can't speak for these, the group on this side, although I know the majority are against it, but I can speak from the NDP government. I know that the majority, with the exceptions that I have listed, are in favour of taking abortion out from under the criminal code. David Lewis has had the courage and so has Grace McInnis who I consider an old witch, but nevertheless she has publicly got up and stated I'm in favour of it, and I think that the government on this side who are in favour shouldn't try and fool the people they should get up in the House and say yes I am, and here are the reasons, as David Lewis has outlined on more than one occasion. Let's not fool the people.

MR. GREEN: Mr. Speaker, I agree with the statement that nobody should try to fool the people, and the others may not be constrained to do so, but in view of the honourable member's remarks I must say that I have never taken the position that he is now suggesting.

MR. BOROWSKI: Well, Mr. Chairman, I am delighted to hear that we have won a new convert.

MR. GREEN: Mr. Speaker, on a point of privilege, I have never taken the position that the honourable member has referred to, that I am in favour of abortion on demand, or I wish this to be withdrawn from the Criminal Code. --(Interjection)-- Mr. Speaker, I resent the suggestion that this is a conversion. I have never taken that position.

MR. BOROWSKI: Well, Mr. Chairman, I am delighted as one of my best friends on that side, and I don't want to say something that he feels is wrong. If he says that he has never held that position I assure you I accept his word without reservation. Without reservation.

MR. CHAIRMAN: The Honourable Member has five minutes.

MR. BOROWSKI: Well I don't need the five minutes. I'd like to deal with the second part, of the sanctity of human life and to point out to you the phoniness and hypocrisy of the government position. They say to me, and it's been said by others outside of the House, that I am being inconsistent because I don't mind hanging mass murderers or convicted killers who have gone through the due process of law, or that I am bloodthirsty because I want those people to be treated as they have been since the beginning of this country, and of time in other countries that have more history.

On the other hand I am crying all over the place because there's a destruction of the most

POINT OF PRIVILEGE

(MR. BOROWSKI cont'd) innocent in our society. Well, Mr. Chairman, I'd ask you to consider who is the hypocrite and who is inconsistent. They are saying, spare the killer. Human life is so sacred we must not under any conditions, even if it's the guy who threw gasoline in a night club in Montreal and burned 37 people, even if it's the guy who kidnapped Laporte and Cross and cold-bloodedly murdered him, and whether it's the hijackers who murder for gain or for whatever it is, their human life is so sacred we must not touch them. But when it comes to 50,000 babies that have been ruthlessly and brutally murdered in our hospitals, they say that's fine. Now who is the hypocrite and who is inconsistent, and who is the cold-blooded bloodthirsty butcher in this House? And I would ask . . .

MR. CHAIRMAN: Order please. I would refer -- I don't know to which member that the honourable member is referring to when he's calling him hypocrite, but I would refer the honourable member to Citation 155 which refers to unparliamentary expressions as follows, and it's under subsection 4 of 155: "Abusive and insulting language for example, villains, impertinence rude remarks, gross calumny, impudence, roughianism and hypocrites. Now I would caution the member, pharisees, murderers, hooligans, black guards, traitors charges of treason. If the honourable member wishes a copy of this I will make it available to him. But I would caution him that if he's referring to members in that type of language I am going to rule him out of order and ask him to desist.

MR. BOROWSKI: Mr. Speaker, then I rise on a point of order or privilege, whichever you want. I am asking you to consider your position. Two nights ago the Member for Flin Flon called me much worse names, and you were either sleeping or you are discriminating. I didn't hear you object, and I am suggesting to you if you're going to get fussy about interpreting those rules, you better interpret them and apply them for the other side, for the government. Now let's not have that phoniness from the Chair

MR. CHAIRMAN: Order please. I would suggest to the honourable member that he read his statements that you made in Hansard a couple of days ago.

MR. GREEN: I do believe that we should try to maintain some perspective, and if the honourable member feels that the Chairman has ever let something go which should not have gone by, this is something that could happen, happens in parliament from time to time. Any honourable member can get up and raise it, and if something has to be brought to the attention of the Chairman from time to time, that is nothing for the Chairman to be sensitive about, nothing for a Speaker to be sensitive about. But it is not the right way of doing it by suggesting something went by you didn't notice it and now you are noticing that I am doing it. If the member has an objection, he should raise it when the time comes. I believe the Chairman is merely trying to point out to the member that on this occasion, in any event, he noticed a procedure which he feels the honourable member should take account of.

MR. CHAIRMAN: The Honourable Member for Thompson. The Honourable Member for Rhineland.

MR. FROESE: Mr. Chairman, on the same point of order, I feel that the other night when the Member for Flin Flon spoke, certainly there was rudeness on his part, and I had serious objection to it, but the Chairman would not call him to order so I let it go. But certainly when the Minister of Mines and Resources now gets up on this point of order, I feel that he should have gotten up at the time that the Member for Flin Flon spoke.

MR. GREEN: Mr. Chairman, there is only one person in the House, even the Member for Thompson didn't take the position of the Member for Rhineland. There's only one member in the House who has admitted that he was here, saw something happening which was wrong, and didn't raise objection to it, that's the Member for Rhineland. I wasn't here therefore --(Interjection)-- well he said that he didn't raise objection. Mr. Speaker, he has told us at this moment that I saw something happening, I considered it was improper, the Chairman didn't raise objection, so I didn't say anything. That's what he has just said. He is the only member who has indicated that he has defaulted in his responsibilities to the House. I wasn't here at the time but I will admit that from time to time I hear something that I don't raise objection to. I don't then, a moment, a week later, say that I saw it was wrong but I should have raised objection to it.

MR. ASPER: Mr. Chairman, I think the point taken by the Member from Rhineland is well taken because it isn't up to honourable members necessarily to enforce the rules. It's up to the Chair. You have now interjected during the address by the Member from Thompson,

POINT OF PRIVILEGE

(MR. ASPER cont'd) and not a member in this Chamber rose to dispute his words or the language he used, it was you, Sir. And that's quite within your right, there's no quarrel with that. And it's not only within your right but within your duty. But the point that the Member from Rhineland makes is that it hasn't happened in the past, that the language that's been objected to when it emanates from this side of the House has not been objected to by the Chair, and this is the point the Member from Rhineland makes.

MR. CHAIRMAN: The Honourable the Minister of Mines and Natural Resources.

MR. GREEN: Mr. Chairman, I really feel that it is quite improper to rise on this point and suggest that the Chairman's interjections are based on this side of the House. I am quite aware that the Chairman has raised objections when matters have come from this side of the House. The one fact --(Interjection)-- well if the honourable member, you know, who is never here to see whether or not these things occur, now says that they have never occurred, then I can advise him that if it is necessary I will have to go through Hansard and show where not only the Speaker but the present Chairman, has interjected when he felt something wrong was happening from this side of the House. The one point that is indisputable is that if a member feels that the rules of the House are being abused, he can get up and make that objection. The Honourable Member for Rhineland says that that did occur, and he didn't get up and therefore he can't blame the Chairman, who from time to time can let something pass not for grounds of partiality but because he has let it pass the same way as other honourable members have let it pass. And it is improper to say that that was done because of the side of the House from which it came from. And if there is that kind of charge of partiality, or lack of impartiality, then that is a formal charge which is improper by the rules of Beauchesne themselves. If the honourable member feels that he has such a charge then he has to put it into a formal motion.

MR. ASPER: Mr. Chairman, the point I make is that the flow of vituperation, the flow the vitriol, the flow of name calling, the flow of abuse, that emanates from the government side in regular debate is so - - and I have so put it on the record -- is so profound, and it is so large, that were members opposite required to stand on each occasion, or took advantage of their right to stand on each occasion, we would be in a procedural hassle all the time. And, Mr. Chairman, all I'm calling on the Chair to do is to make the admonition to the whole House and call for some sense of proportion from both sides, that's all.

MR. CHAIRMAN: Order please. Order please. I would refer honourable members to Beauchesne Fourth Edition Citation 70, Sub. 2. "Any member is entitled, even bound, to bring to the Speaker, the Speaker's immediate notice any instance of what he considers a breach of order. He may interrupt and lay the point in question concisely before the Speaker, He should do so as soon as he perceives any irregularity in the proceedings which are engaging the attention of the House. The Speaker's attention must be directed to a breach of order at the proper moment, namely the moment it occurs. A point of order may be taken after debate is concluded when the Speaker is about to put the question to a vote; also while the House is voting, after the vote is taken, but in fact at any time, but not so as to interrupt the Speaker when he is addressing the House. Even the provisions in Standing Orders that action must be taken forthwith or forthwith without debate with respect to a certain proceeding, do not debar a member from raising a point of order when a serious irregularity occurs." The Honourable Member for Thompson.

MR. BOROWSKI: Well, Mr. Speaker, I wish to rise on a point of privilege. The Minister of Colleges and Universities the other day referred to me as an honourable fascist, and that as you will agree is against the rules. At that time I said I have no objection being called that; I said that in this House we should have enough latitude to call a person what we think he is. If he thinks I'm a fascist, I think he should have the right to call me. And if I think he's a swine, I should have the right to call him that. And, Mr. Chairman, if the Member for Flin Flon thinks I'm pimping for the press, he has stated that. There have been liars, all kinds of words that are against the rules used in this House by both sides. Mr. Chairman, they have been allowed. And I am suggesting to you if we're going to allow it for two members or five members, then I don't know how you can, how anybody should object if I use it. I mean, it seems to me you should have more tolerance to me because I come from the unwashed class like yourself, and I haven't been taught the fancy language. So you know,

POINT OF PRIVILEGE

(MR. BOROWSKI cont'd) I really think that we should get some leeway in this House. However, Mr. Speaker, if the government does not wish to have freedom of speech, I will sit down and say no more.

MR. CHAIRMAN: The Honourable Member for Lakeside.

MR. ENNS: Well, Mr. Chairman, on the point of order. The point of order that has interrupted the debate at this point in time has of course another -- can be approached from another point of view, and which the Opposition from time to time considers, and that is whether or not we have sufficient confidence in the fairness with which the Chair, by the Speaker or yourself in your present position, perform that performance. And that really is the alternative for an opposition to express themselves if they feel that in any way you're not carrying out your capacity in a way that is satisfactory to the House. Otherwise, I would have to concur with the House Leader, the onus is on the individual members to raise points of privileges, points of orders, when they feel that they are legitimate, or indeed by yourself, Sir, when you think an individual member or speaker is transgressing what is acceptable language or acceptable behaviour in the House. But to place the onus entirely on the Chair, at all times to be able to pick up in the heat of debate when these transgressions take place, is not in my judgment the proper one. That onus in the long run and after a repetition of what we might think are grievances, there is action provided for in our rules that we can take.

MR. CHAIRMAN: The Honourable Member for Thompson.

MR. BOROWSKI: I'm not going to get up and get in an argument with what I can say.

SUPPLY - ATTORNEY - GENERAL Cont'd

MR. CHAIRMAN: The Honourable Attorney-General.

MR. MACKLING: Well, Mr. Speaker, I listened with interest to the comments of the Honourable Member for Thompson, and I would like to briefly refer to some of them. First of all, I appreciate his kind remarks about my executive assistant. There have been unkind remarks made about executive assistants inside and outside of this Legislature in the past and, you know, it's always nice to hear some cheery words in this House about people who really do try hard to answer the needs, not only of their Ministers, but also of the members of this House who come to them from time to time in connection with matters of interest. And I appreciate that kind of comment.

Now, the Honourable Member from Thompson continued his concern in respect to age discrimination, and I have indicated earlier and I've indicated much prior to this, my concerns in respect to the problems that exist, and there's no question but they are real. But there's no easy solution to it. We can't, I don't think, reasonably pass a law tomorrow insisting that the private sector discriminate in favour of certain age categories. We have to use moral suasion. There certainly is a probable use of the Human Rights Commission as a vehicle both for moral suasion and perhaps in some instances it could go further than that, and that is a matter for consideration for any change in the operation of the Human Rights Commission and I certainly am concerned about that area, but to suggest, you know, that we are not concerned about that is unfair.

Now the honourable member continued in respect to his concern that suggesting that this government or this party is somehow less inclined to his point of view about the sanctity of marriage, and we're concerned to make divorce more ready or more available, and I just have to deny that allegation, Mr. Chairman. What we have consistently said is that people ought to have equality of opportunity to assert their rights before the courts, and that's a far different thing, a far different thing altogether.

You know, the honourable member alluded to some instances where he said that some people have obtained -- and I trust the honourable member will listen, Mr. Chairman. Mr. Chairman, I trust that the honourable member will listen to my remarks as I listened to his. --(Interjection)-- Well now, I don't know. I think the honourable member has enough presence of mind to be able to focus his attention where it's necessary. And I would like to indicate to him that I am rather troubled by his statement here in this House that people apparently have obtained divorce on frivolous grounds. Now if there are instances of that, then it's the responsibility of the honourable member to bring those cases to the attention of the Attorney-

SUPPLY - ATTORNEY - GENERAL

(MR. MACKLING cont'd) General or to the attention of the courts in some manner, because that would be an offence against the courts.

Now, you know, divorce hasn't been made just a matter of routine endorsement on a certificate by the courts. The courts exercise a very grave responsibility in this area, and for the honourable member to suggest that, you know, it's now an easy matter or a simple matter, or the courts are disinterested in the people that come before them, does a great disservice to those who have been appointed with the responsibility to carefully weigh the concerns of those who come before them, and thus it is that in the divorce laws . . . (Interjection)-- If the honourable member is agitated, I'll let him . . .

MR. BOROWSKI: No.

MR. MACKLING: . . . rise on whatever point of order or point of privilege or point of irritation that he wants.

MR. BOROWSKI: Probably all three, Mr. Chairman.

MR. CHAIRMAN: The Honourable Member for Thompson -- would he state his point of order?

MR. BOROWSKI: Yes, Mr. Chairman, first of all, I have a right to get up, just as he was getting up when I was speaking and I don't know why the same privilege is not accorded to me. He has stated that I am casting an aspersion or something of the sort on judges. I never said any such thing. Judges don't make laws, Mr. Chairman. Judges interpret the laws that the Legislature has passed, so if there's easy divorce it's because of governments not of judges so let's not get the judges, let's not slough off the responsibility on judges. They're our responsibility.

MR. MACKLING: Mr. Chairman, the honourable member talks about laws and the sanctity of life and so on, but he in this Chamber exhibits a disinclination to accept rules. Now I, in my argument, indicated to the honourable member, and I haven't got his exact quotation, but he said some people have applied and obtained divorce on frivolous grounds. Now if these grounds were so frivolous that the honourable member was aware of them, surely the courts would have been able to perceive that they were frivolous grounds because they're charged with that responsibility. Now to suggest that I'm saying something, that I'm drawing a conclusion, is unfair. I think that the honourable member imputes the veracity and the intelligence of the courts, and I think that's a reasonable conclusion to draw from what he said.

But I would like the honourable member to know something about what goes on in courts and what the responsibilities of the judiciary are in respect to divorce. And I'd like him to listen to me while I read to him certain sections of the Divorce Act of Canada. Section 7 says: "It is the duty of every barrister, solicitor, lawyer or advocate to undertake to act on behalf of a petitioner or respondent on a petition for a divorce under this Act, except where the circumstances of the case are of such nature that it would clearly not be appropriate to do so:

"(a) to draw to the attention of his client those provisions of this Act that have as their object the effecting where possible of the reconciliations of the parties to a marriage." That's an onus that's cast upon an officer of the courts, a barrister or solicitor; "(b) to inform his client of the marriage, of the marriage counselling or guidance facilities known to him that might endeavour to assist the client and his or her spouse with a view to their possible reconciliation;

"and (c) to discuss with his client the possibility of the client's reconciliation with his or her spouse."

And then subsection (2): "Every petition for divorce that is presented to a court by a barrister, solicitor, lawyer or advocate on behalf of a petitioner, shall have endorsed thereon a statement by such barrister, solicitor, lawyer or advocate, certifying that he has complied with the requirements of this section!" And the courts are very jealous about the adherence of the legal profession to the rules of court and the requirements of the Divorce Act. And I can assure the honourable member of that.

And then Section 8 provides: "On a petition for a divorce, it is the duty of the court, before proceeding to the hearing of the evidence, to direct such enquiries to the petitioner, and where the respondent is present, to the respondent as the court deems necessary in order to ascertain whether a possibility exists of their reconciliation, unless the circumstances of the case are of such nature that would clearly not be appropriate to do so. And if at that or any

SUPPLY - ATTORNEY - GENERAL

(MR. MACKLING cont'd) later stage in the proceedings, it appears to the court from the nature of the case, the evidence of the attitude of the parties or either of them, that there is a possibility of such reconciliation, the court shall;

"(a) during the proceedings to afford the parties an opportunity of becoming reconciled;

"(b) with the consent of the parties or on the discretion of the court nominate;

"(i) a person with experience or training in marriage counselling or guidance; or

"(ii) in special circumstances some other suitable person to endeavour to assist the parties with a view to their possible reconciliation."

Now, you know, the honourable member should not pass off with indifference the requirements . . .

MR. BOROWSKI: . . . entertain a question?

MR. MACKLING: No, when I've completed my review of your remarks, I'll be happy to answer any remaining question you may ask.

Now, these are the duties of the courts and the duties of the legal profession. When they file a petition for a divorce there has to be contained in it specific particulars in respect to the provisions that I've referred to in the Divorce Act, dealing with reconciliation, and it's the onus of the barrister and solicitor to see that those steps have been taken. And then there's the statement by the solicitor in the forms as required by the Act, and it's not a matter that's taken lightly. I know that one of my colleagues who sits very close to me right now, has made speeches about the concern that the marriage contract is entered into too lightly, and there is a very great need to reassess the kind of ready access to marriage. Maybe it should become mandatory that prior to individuals entering into the contract of marriage that they have premarital counselling, that we have too lax a system of getting into marriage and then a difficult system about getting out of marriage. But certainly, to suggest that we should not expand legal aid to give rights to people to obtain what is their right to assert in accordance with the law of Canada, because that will make divorce easier and that's the argument that the honourable member makes, that is totally unfair, and I trust that, you know, he will accept that fact.

Now he's suggested, you know, in respect -- and then he went on about legal aid, condemning the fact that in our society we provide legal aid for, as he terms them, rapists, counterfeiters, drug pushers and so on. Well, Mr. Chairman, you know, it doesn't -- well and the Honourable Member from Pembina says we do. Now I don't know whether he's saying that with malice or with hurt or what it is, but let me say to all honourable members in this House, and I want you to take it closely into your thinking, that every member in society has to be protected, that he has the right to do certain things, and that he is innocent, innocent of any wrongdoing until he has been proven guilty of the charge.

Now under our system of justice we have certain laws which the Crown enforces, but the Crown's operation is carried out by human beings. We take evidence from human beings, whether it be a man such as the Honourable Member from Thompson, or anyone; we take evidence from people. People do make mistakes in life. Sometimes they make mistakes about their assessment of what happened at a particular moment; they can make mistakes about identifying certain people, and these mistakes have occurred, not just infrequently but frequently. Not everyone who is charged with an offence is necessarily guilty, and it's incumbent under our system of justice that everyone be deemed innocent until proved guilty.

Now, if the honourable member is to reverse the whole basis of our jurisprudence, the whole basis of a right to be considered innocent, free men until convicted before a court of law in advance, unless he is prepared to accept that, then we forget all about the rights of free men in society; and if someone stands up and says, "This man has committed a wrong," providing he has the ear of the Attorney-General or whoever else it is that's responsible for the adjudication of the administration of justice, that person then can be condemned. Now that isn't the system of law we have, because now --(Interjection)-- I know he's feeling uncomfortable, Mr. Chairman, but that's what he's implying, that there should be no legal aid for someone who's charged with rape. There should be no legal aid for someone who's charged with any other offence, because if they've been charged, they're guilty, and that is not the basis of our laws and I would like the honourable member to understand that.

I have no great feeling of compassion for people who commit crimes.

SUPPLY - ATTORNEY-GENERAL

(MR. MACKLING cont'd) I am sorry they commit crimes, but I won't condemn them beforehand as having committed a crime and therefore no right to have defence before court until they have been proven guilty, and even then if they have rights of appeal, we have to respect those rights of appeal. I will not condemn people falsely. And I would like the honourable member to reflect on the fact of what he advocates. Surely if one of his friends was charged with an offence and wrongly charged, he would like to see that person defended, and if it wasn't within his financial means to see to that he would like a system where the state would make sure that not only are those persons charged with offences where the state believes there has been an error, but where the person feels he is innocent and wants to have his day in court, that he will have his day in court. If everyone --(Interjection)-- Well the honourable member, Mr. Chairman, refuses to accept the fundamental precept of a free society and justice in a free society. --(Interjection)-- He wants to assume -- assume that certain people are guilty before they have been proven guilty and I disassociate myself from any suggestions along those lines.

Now, he drew an analogy, you know, about the rich man with a car and a poor man with a driver's license. Well surely, you know, this analogy, you really can't get an analogy like that on the road. You know, between that and individuals who come together and live together under a contract of marriage, because our laws -- our laws have entrenched certain rights to the individuals in respect to marriage, and so they should, and I am, you know, happy to see that years ago Legislatures did pass laws protecting, particularly, women in respect to their marriage rights. But to suggest, you know, that an analogy be drawn in a manner the honourable member suggests, I just can't see. He talked about drug abuse and housing. We all have agonized over this. No single person has any particular perception as to how we can eliminate drug abuse. Surely one of the ways is if we can set examples for other people in society, if we can cooperate with the police, if we can co-operate with a social agency; surely all these things have significance. There's no easy answer to it.

He referred to the article written in the Tribune. It's no matter of satisfaction to anyone if there is escalation in respect to juvenile crime. We have to develop better relationships in society; we have to provide a better environment for people in society, make provisions for fuller recreational facilities, better social programs, better minimum wages, better job opportunities for people. The innumerable spectrum of things that have to be done to enrich the lives of people so that they don't turn in monotony, or in challenge to society to other forms of abuse, whether it be theft or vandalism or disrespect for the lives or the property of individuals. Now you know there's no easy answer to social ills, and the honourable member does not have any particular magic in respect to these problems. There is far too, far too great a concern about the material things in life. We frankly recognize that. But how you get people to make value judgments, or different value judgments, is not easy when, as the honourable member knows, we're captive to a system where we are inculcated every living moment that we're awake with the concept of getting more for ourselves, getting more material things, spending more money, getting more things by credit, and living the bigger fuller life at someone's expense. Now a fundamental change has to occur in society, and the honourable member is aware of that.

Now he suggests that, you know, somehow he implies that we want things to be easier for the pornographers, or the drug pushers, and so on, and I would like the honourable member to look at the leading cases in respect to the area of pronography, and I'm not particularly pleased that they should occur and arise out of Manitoba courts. But those are the facts. Those are the facts if you want to look at the Supreme Court cases on reports in this area. We have not been backsliders.

The honourable member is concerned about - he said that I undertook that there would be prosecutions. I never undertook that there would be prosecutions of dirty movies. I indicated that if there were movies exhibited in this province and there were complaints, and the complaints were confirmed by morality officers, the people I rely upon to make those assessments, then they will be prosecuted in the ordinary way. Now what the movie industry had wanted of this government -- and the honourable member should recall those debates -- what the movie industry wanted was the state to continue to act as the censor and therefore to be somewhat immune from the responsibility of censoring their own films. And that has not been the case because we did not accede to that request of the movie industry.

SUPPLY - ATTORNEY-GENERAL

(MR. MACKLING cont'd) Now the honourable member doesn't recall what my speeches were and he suggests I read them. I recall what I said last year and it's consistent with what I say this year, and it will be consistent again next year.

Now I think that I rose on the point of privilege about his suggestions that I misled the House, you know, I really should not take exception; I really shouldn't get annoyed with the honourable member; it was this discussion, this interjection about strong language and you know I, Mr. Chairman, am reasonably tolerant about strong language and I think sometimes a person can use a word that would be offensive and yet they use it in a way which is inoffensive, and I don't particularly get excited about the honourable member using strong language because I think it's a matter of colour; I don't think necessarily the heart or the mind goes with it, at least I hope that -- (Interjection) -- And I refuse to get agitated, I refuse to get personally offended when the honourable member uses such words as "sodomites", and you know sodomy is a criminal offence, and to suggest you know that there are members of this House that indulge in criminal offences, you know, just - it boggles my mind but you know I just overlook these things on the part of my former colleague because I think he speaks sometimes with passion and he really doesn't control his tongue in a manner that would be appropriate, but that is not personally offensive to me that he should use this overly colourful language so long as he doesn't get incensed about some language being colourful used in return. And I don't think he should be that way. Well I think he did complain about comments from one of my members in the caucus using strong language -- (Interjection -- well at least he felt troubled enough to refer to it anyway, and that's the suggestion I make.

And then you know one of the things that really bothered me was the honourable member said something about restriction of his speech. I for one will fight for his every opportunity to assail the administration of my department on any occasion he wishes and you know if I have to speak for hours and hours I will insure that he has the opportunity to do that and continue to criticize what he thinks ought to be criticized in this House.

MR. BOROWSKI: if I could ask a question.

MR. MACKLING: Surely.

MR. CHAIRMAN: The Honourable Member for Thompson.

MR. BOROWSKI: . . . that the Attorney-General agreed to. He read The Divorce Act in there . . . was some kind of a sacred agreement that nobody ever violated or broke the laws. I've also said the very same thing about abortions, as he recalls it, as being violated and abortions are being given -- (Interjection) -- Well I'm asking the question in my way. I have stated that abortions are being received in this country and in this province for frivolous reasons -- (Interjections) -- Yah, abortions. The Act is being violated. Otto Lang, the Justice Minister, has ordered an investigation because of the seriousness. I would like the Attorney-General to tell us if he believes that charge that has been made by other people that abortions are being given for frivolous reasons in violation of The Abortion Act, and why does he not order a similar investigation in our own hospitals which we are paying for?

MR. MACKLING: Mr. Chairman, I'm not going to suggest that the Minister of Justice, the Honourable Otto Lang, is engaging in rumour but if he has specific instances of violations of the law then it's his duty, as it would be my duty, to bring those matters before the courts. Now I have indicated, and I answered I think publicly to the honourable member, that if the Honourable Justice Minister, Mr. Lang, has asked for our co-operation in any way, we will do that. I don't know of any request from the Honourable Minister to launch an investigation into this matter. You see, Mr. Speaker, how we deal in respect to the enforcement of laws in this province is we base largely the enforcement of our laws on the complaints that are brought to us that a certain person has offended the provisions of the law, and on the basis of those complaints investigations occur. Now if there are, as he says, frivolous abortions taking place, then it's incumbent upon those that are aware of the circumstances to bring those to the attention of either the Attorney-General's Department or the police, so that they can be investigated, and if the honourable member, or anyone with whom he's associated does that sort of thing, those investigations take place. Now that is the way that the law operates.

MR. BOROWSKI: Mr. Chairman, I would ask the Attorney-General then. He indicated a moment ago that if I know of any divorces that were given or paid for on frivolous grounds I have the responsibility to bring it to his attention. I have brought it to his attention on several

SUPPLY - ATTORNEY-GENERAL

(MR. BOROWSKI cont'd) occasions, and doctors have, I believe, to the Minister of Health, that there are violations of The Abortion Act. Now I'm asking the Attorney-General why does he not order an investigation because he cannot slough it off on Ottawa. We are paying for those hospitals and we are paying for those abortions, not Ottawa. Why does he not order an investigation?

MR. MACKLING: The honourable member wants to cast a cloud across the medical profession and I say that that isn't the way that the law operates. If the honourable members knows that a certain individual in society has broken the law, that he doesn't condemn the entire profession and the entire group of people and say there ought to be an investigation about rumours about people breaking the law. Then you draw to the attention of the authorities the specific case, and then it isn't a witch-hunting process, it's a question of enforcing the law where there has been a breach. We don't operate on witch-hunts on the basis of rumour. The enforcement of law is on the basis of individual complaints brought before the authorities.

MR. BOROWSKI: Well, Mr. Chairman, I ask the Attorney-General: is he suggesting that Otto Lang has launched on a witch-hunt, because this is precisely what he's doing; he's looking into the whole situation across Canada without specific reference to any hospital or any province.

MR. MACKLING: Mr. Speaker, I've indicated that the Honourable Minister of Justice, if he is launching an investigation, I don't know the techniques of his investigation -- well you know the honourable member mutters from his seat, I should know. Well the Honourable Justice Minister communicates and he communicates the information that he has from time to time. Now I'm not in Ottawa; I'm not privy to all of his thinking, or all of the statistics, or all of the cases that he may have. If he has particular cases they should be dealt with in accordance with the law.

MR. CHAIRMAN: The Honourable Member for Portage la Prairie.

MR. JEAN ALLARD (Rupert'sland): I have a question, Mr. Chairman.

MR. CHAIRMAN: The Honourable Member for Rupert'sland.

MR. ALLARD: Could the Attorney-General tell us who is responsible for the application of the federal law on abortions? Who is responsible for instance for the appointment of boards in a hospital?

MR. CHAIRMAN: The Honourable Attorney-General.

MR. MACKLING: I think that question would be better addressed to my colleague the Minister of Health. Well I am not expert on the impanelling of boards. I presume that they are taken pursuant to The Health Act.

MR. ALLARD: Specifically, Mr. Speaker, what I'd like to know is whether it's the Federal Government, whether it's Otto Lang who appoints those boards, or whether it's done under provincial jurisdiction?

MR. MACKLING: The appointment I assume of the boards is done under provincial jurisdiction but if there is a complaint by someone in society that there has been an abortion granted and it doesn't fall within the provisions of the Criminal Code, then it's a matter of federal law that is applied in respect to the criminal act that is alleged.

MR. ALLARD: Well, Mr. Chairman, does the Minister feel that if there is a widespread public concern over the possible breaking of a law, does he feel that he has a responsibility without any specific complaint about one individual case? Does he feel that he has a responsibility for looking into the whole situation?

MR. MACKLING: Mr. Speaker, if we were to enforce the laws on the basis of generality then we would be having continual investigations about the generality of theft in society, the generality of any other offence under the Criminal Code, and administration of justice doesn't operate in a generality. We don't have a sitting continuous tribunal investigating all criminal acts. We act on the basis of specific individual complaints that a certain law has been broken. Those individual complaints are investigated and where there's justification then formal charges are laid. That's how the criminal law operates.

MR. CHAIRMAN: The Honourable Member for Portage la Prairie.

MR. GORDON E. JOHNSTON (Portage la Prairie): Well, Mr. Chairman, I hate to interrupt this dialogue but I have a couple of matters that I want to bring to the attention of the Attorney-General, and in particular I want to know if he's going to change his thinking on at least one of them, and I refer now to The Intoxicated Persons Act. This is an act that was

SUPPLY - ATTORNEY-GENERAL

(MR. G. JOHNSTON cont'd) passed by this administration about two years ago and it allows for the police force, or it directs the administration of justice that if someone is picked up drunk or under the influence, and has not committed any other crime, then the law compels the police force and the magistrates to only lock up that person until he is sober and then let him out in the morning. Well I'll tell you this has got to be the oddest law I've ever heard of in my life. Small communities like Portage and The Pas have the responsibility of carrying out this type of policing and it costs the taxpayers quite a bit of money in those communities let me tell you. Why should the citizens of a small community have to pay all the costs and all the expense of looking after a drunk for the night? This means they've got to hire night guards, they've got to give that person a meal in the morning. In other words they're running a hotel for the province. Now when I brought this matter up a year ago the Attorney-General said, well the citizens of that community are reaping the benefit of that person who comes into the community and spends some money.

I would like the Attorney-General to come out to Portage and take a look at the operation there, and why should the citizens of Portage la Prairie or The Pas pay thousands of dollars a year for this sort of a law. If the province have put that law into effect, well then they should pay the cost. The cost should be applied equally to everybody not to the citizens of one community. And because there's three or four hotels in a small city and every night of the week a half a dozen people have too much to drink, then they have free board and room for the night and the province says God bless you. -- (Interjection) -- The Member for Flin Flon has something to say, I didn't hear it. If he wants to put it on the record I'll let him but I'd like to continue. Would you like to put it on the record?

A MEMBER: I'll listen to you.

MR. CHAIRMAN: Order.

MR. SAUL CHERNIACK, Q. C. (St. Johns): I wonder if I'd be permitted a question?

MR. G. JOHNSTON: Yes.

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

MR. CHERNIACK: Would the honourable member please describe the situation as it existed in Portage, or anywhere else, prior to the enactment of this legislation?

MR. G. JOHNSTON: If the citizen thought he should go out for a night on the town and have too much to drink and he's on the streets or incapable of looking after himself, then he should be taken in but he should also pay for that service. He should pay for that service. If he goes to a hotel he pays.

MR. CHERNIACK: . . . permit another question on the same line. I assume then that he either paid by way of a fine or by staying in jail. Would that be a jail in the municipality?

MR. G. JOHNSTON: Under the old law, as I understand it, the police had a great deal of discretion and for someone who couldn't look after themselves and was out on the street they would take them in and look after them. But now it's common knowledge that the service is there, let us use it. And I'm talking about a certain class of citizen. So I'm saying that this sort of a law while it's broad and moderate I might suppose, it isn't fair to the people who have to pay for the service. And in Portage some months it's \$600.00 a month extra because they have to hire night guards to look after these people. Our policemen -- we're pretty thin on policing in this province -- and why should a trained policeman have to stay in the police station or near the cells. His job is out looking after the citizens and looking after the community. So this is what we do in Portage. But when we have people in the cells overnight there has to be a night guard employed for that duty, and what I'm saying is the province passed the law, the law is for everybody, the cost of the law should be shared for everyone. -- (Interjection) -- Do you have a question?

MR. CHAIRMAN: The Honourable Member for Flin Flon.

MR. THOMAS BARROW (Flin Flon): Would you permit a question my honourable friend?

MR. G. JOHNSTON: Sure.

MR. BARROW: In many cases in the north we've had natives that have become very very intoxicated and found next morning, especially in The Pas area, Flin Flon area, frozen to death. Would that be a better alternative than putting them in and letting them go the next day?

MR. G. JOHNSTON: Obviously the Member for Flin Flon wasn't listening. I said under the old law the police and the magistrate in the due process had an amount of discretion that

SUPPLY - ATTORNEY-GENERAL

(MR. G. JOHNSTON cont'd) they could employ, and for those people certainly they have to be looked after and they always were looked after, but now it's incumbent upon the community that they must pay the cost, they must bear the cost, the taxpayers in that community, instead of the whole province bearing the cost is what I'm saying. Why should the citizens of Flin Flon or The Pas or Portage where there's cell facilities, why should they pay the cost for anybody that comes through and needs this sort of service? That cost should be borne by the province as a whole and not by the local community. Mr. Chairman, I have another matter I wanted to talk about. Would you care to call it 12:30?

MR. CHAIRMAN: 12:30. It's 12:30. I'm leaving the Chair to return at 2:30 this afternoon.