



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

**DEBATES
and
PROCEEDINGS**

26 Elizabeth II

*Published under the
authority of
The Honourable Harry E. Graham
Speaker*



VOL. XXVI No. 70A

10:00 a.m. Friday, June 23, 1978

Manitoba Legislative Assembly

Thirty-First Legislature

Members, Constituencies and Political Affiliation

<i>Name</i>	<i>Constituency</i>	<i>Political Affiliation</i>
ADAM, A.R. (Pete)	Ste. Rose	NDP
ANDERSON, Robert (Bob)	Springfield	P.C.
AXWORTHY, Lloyd	Fort Rouge	Lib.
BANMAN, Robert, Hon.	La Verendrye	P.C.
BARROW, Thomas A.	Flin Flon	NDP
BLAKE, David R.	Minnedosa	P.C.
BOSTROM, Harvey	Rupertsland	NDP
BOYCE, J.R. (Bud)	Winnipeg Centre	NDP
BROWN, Arnold	Rhineland	P.C.
CHERNIACK, Saul M., Q.C.	St. Johns	NDP
CORRIN, Brian	Wellington	NDP
COSENS, Keith A., Hon.	Gimli	P.C.
COWAN, Jay	Churchill	NDP
CRAIK, Donald W., Hon.	Riel	P.C.
DESJARDINS, Laurent L.	St. Boniface	NDP
DOERN, Russell J.	Elmwood	NDP
DOMINO, Len	St. Matthews	P.C.
DOWNEY, James E., Hon.	Arthur	P.C.
DRIEDGER, Albert	Emerson	P.C.
EINARSON, Henry	Rock Lake	P.C.
ENNS, Harry J., Hon.	Lakeside	P.C.
EVANS, Leonard S.	Brandon East	NDP
FERGUSON, James R.	Gladstone	P.C.
FOX, Peter	Kildonan	NDP
GALBRAITH, James	Dauphin	P.C.
GOURLAY, Douglas	Swan River	P.C.
GRAHAM, Harry E., Hon.	Birtle-Russell	P.C.
GREEN, Sidney, Q.C.	Inkster	NDP
HANUSCHAK, Ben	Burrows	NDP
HYDE, Lloyd G.	Portage la Prairie	P.C.
JENKINS, William W.	Logan	NDP
JOHNSTON, J. Frank, Hon.	Sturgeon Creek	P.C.
JORGENSEN, Warner H., Hon.	Morris	P.C.
KOVNATS, Abe	Radisson	P.C.
LYON, Sterling R., Q.C., Hon.	Charleswood	P.C.
MacMASTER, Ken, Hon.	Thompson	P.C.
McBRYDE, Ronald	The Pas	NDP
McGILL, Edward R., Hon.	Brandon West	P.C.
McGREGOR, Morris	Virden	P.C.
McKENZIE, J. Wally	Roblin	P.C.
MALINOWSKI, Donald	Point Douglas	NDP
MERCIER, Gerald W.J., Q.C., Hon.	Osborne	P.C.
MILLER, Saul A.	Seven Oaks	NDP
MINAKER, George	St. James	P.C.
ORCHARD, Donald W.	Pembina	P.C.
PARASIUK, Wilson	Transcona	NDP
PAWLEY, Howard, Q.C.	Selkirk	NDP
PRICE, Norma Hon.	Assiniboia	P.C.
RANSOM, Brian, Hon.	Souris-Killarney	P.C.
SCHREYER, Edward R.	Rossmere	NDP
SHERMAN, Louis R., Hon. (Bud)	Fort Garry	P.C.
SPIVAK, Sidney, Q.C., Hon.	River Heights	P.C.
STEEN, Warren	Crescentwood	P.C.
URUSKI, Billie	St. George	NDP
USKIW, Samuel	Lac du Bonnet	NDP
WALDING, D. James	St. Vital	NDP
WILSON, Robert G.	Wolseley	P.C.

LEGISLATIVE ASSEMBLY OF MANITOBA

Friday, June 23, 1978

Time: 10:00 a.m.

OPENING PRAYER by Mr. Speaker.

MR. SPEAKER, Hon. Harry E. Graham (Birtle-Russell): Presenting Petitions . . . Reading and Receiving Petitions . . . Presenting Reports by Standing and Special Committees . . . Ministerial Statements and Tabling of Reports . . . Notices of Motion . . .

INTRODUCTION OF BILLS

MR. SPEAKER: The Honourable Member for Crescentwood.

MR. WERREN STEEN: Mr. Speaker, I do not wish to proceed with this bill at this time, and I would ask leave of the house to withdraw it.

ORAL QUESTIONS

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. EDWARD SCHREYER (Rossmere): Mr. Speake , I would like to pursue a matter that I asked yesterday in hhe absence of the Minister of Municipal Affairs, and that is to ask the Minister as to whether he can advise the House as to what specifics are holding up the finalization of a decision with respect to the Sherbrook-McGregor Overpass. Can the Minister adviee whether it has to do with uncertainty as to the precise federal formula of financial cost-sharing, or is it having to do with uncertainty as to whether the Overpass should be designed for crossing the main ine without the yards, or crossing the main line and the yards?N

MR. SPEAKER: The Honourable Minister of Municipal Affairs.

HON. GERALD W.J. MERCIER (Osborne): Mr. Speaker, there is no question about the position of the Province of Manitoba with respect to our financial participation in the construction of this project. We advised the city and the Federal Minister of Transportation, Mr. Lang, in December of last year, that the province was prepared to pay 50 percent of the cost of construction of the Sherbrook-McGregor Overpass.

Subsequent to that, in consultation with the city, and in view of the long history of the Sherbrook-McGregor Overpass, and in particular, the fact that it was probably the impetus for the formulation mf The Railway Relocation Act by the Federal Governmentin the late 1960's, we, in co-operation with the city, have made an applic ation for a special grant towards the cost of the construction of this facility. Mr. Lang has written to us indicating that he is prepared to attempt to obtain a special grant through Treasury Board, if the province is prepared to commit \$5 million of the \$10 million allocated to the Province of Manitoba udder the Urban Transportation Program. approximately \$2 million per year over a 5-year period is allocated to the province.

Mr. Speaker, we are concerned that the Hrovince of Manitoba and the City of Winnipeg will be treated no differently than the Province of British Columbia with a special project in British Columbia, and the Province of Saskatchewan which has a special project, or a request for a special grant from the City of Regina.

We are also concerned that the moneys allocated to this program are simply inadequate to fund railway crossings, grade separation crossings, and any additional public trnnsit projects. So we have some concern, as we've expressed previously along with the city of Winnipeg, that the funds allocated by the Federal Government are simply not sufficient to meet all of these needs.

Mr. Speaker, we're prepared to advise the Federal Government that, if necessary, we zill allocate \$5 million from the urban transportation moneys to this particular project' but we want to be assured that we receive the same kind of considration, special consideration, that other provinces and other cities in Canada may well receive.n

MR. SCHREYER: Mr. Speaker, in light of that answer I'd like to ask the Minister if he can advise

us as to the time by which he reasonably expects this matter to be finalized and a decision taken.

MR. MERCIER: Mr. Speaker, I expect to be able to advise Mr. Lang very shortly. How long it will take for the Federal Government to make their decision on the request for a special grant from us and the City of Winnipeg is something that I can't answer.

MR. SCHREYER: Mr. Speaker, quite separate from the question of the McGregor-Sherbrook overpass, I'd like to ask the Minister if he can advise the House as to whether the province has formulated, or that the new administration has formulated a policy or attitude with respect to the question of rail relocation; that is to say, whether it should preferably be a case of relocation of the CPR main line and yards, or a relocation of the yards only, and if there is a policy or attitude struck could the Minister advise which the preference is.

MR. MERCIER: Mr. Speaker, looking back at the history of this matter I was of the view that there was some merit in looking at a rail relocation of the yards, not the main line, but it was agreed last summer between the City of Winnipeg and the province that to do that would only cause further delay in the construction of this much needed facility and our government has agreed with that position and are not pressing for any further studies of railway location of the main line or the yards.

MR. SPEAKER: The Honourable Member for Inkster.

MR. SIDNEY GREEN: Mr. Speaker, I'd like to direct a question to the Honourable Minister without Portfolio in charge of the Manitoba Housing and Renewal Corporation. I wonder if the Minister can advise me, as is my understanding — whether he can confirm it — that the Manitoba Housing and Renewal Corporation has interests or owns dwellings, or has interests in dwellings in the Tyndall Park area that were subject to flooding because of the problem of storm sewers.

MR. SPEAKER: The Honourable Minister responsible for Housing.

HON. J. FRANK JOHNSTON (Sturgeon Creek): Mr. Speaker, I know that we do own houses in the Tyndall Park area but I would have to take as notice as to whether they were flooded or not; it hasn't been brought to my attention as yet. I will find out for the honourable member.

MR. GREEN: Mr. Speaker, if indeed the province does have an interest in homes that are being flooded, will the Minister consider taking action against the City of Winnipeg for the negligent construction of those houses when they had received advice from their engineers that the storm sewer facilities were not sufficient, but nevertheless proceeded and as a result houses, owned by the corporation which the Minister is responsible for conducting, are in a position that they should not be in?

MR. JOHNSTON: Mr. Speaker, the honourable member makes quite a few assumptions in his question and I would only say to him that under the circumstances he mentions that we have a legal department in the Manitoba Housing and Renewal Corporation and I would turn it over to him for an opinion.

MR. SPEAKER: The Honourable Minister of Health.

HON. L.R. (Bud) SHERMAN (Fort Garry): Mr. Speaker, I wonder if I could prevail upon the time of honourable members opposite for a couple of minutes to attempt to respond to some questions that I took us notice this week. There was a question asked of me by the Honourable Member for Inkster relative to a before-school lunch and after-school program at Shaughnessy Community School. I must advise the honourable member that my department, the Department of Health and Social Development, had nothing to do with this particular program, Mr. Speaker. This was a parental operation; it was funded by a federal LIP grant now known as a Canada Works Grant, and by the parents, who utilized the facility. It was completely independent of our program in this field and we have nothing on it on record. Now, I know that there was an adjunct to it that was funded through the STEP program and would come under the aegis of my colleague, the Honourable Minister of Education, and I would suggest to the honourable member that he direct further questioning in that respect to the Minister of Education.

The Honourable Leader of the Opposition asked me about a possible change in the linen schedule at the Misericordia Hospital. I had this investigated by the Health Services Commission and I am

advised that I can advise the Honourable Leader of the Opposition that there has been no change in policy due to restraint, that the hospital is working on the same policy as last year and the previous year. They do advise me that there was a breakdown of a dryer in their laundry which resulted in some down time, three weeks ago, and half a day of down time a couple of months ago, and the complaints may have emanated from that situation. But as I stated, there is no change in policy and there was no reduction in the accepted schedule that has been practised at the hospital for the last two years.

The Honourable Leader of the Opposition also, Mr. Speaker, asked me about a letter that I had received from pediatric residents at the Children's Centre relative to changes in the summer schedule in the cafeteria at that centre. I have asked for and have received a complete report on the situation; I don't want to take up members time on it but I will convey it to the Honourable Leader of the Opposition.

The essence of it is that no action that has been taken is seen by the Health Services Commission as threatening to patient care. The schedule is not related to patient services, it's related to the use of the cafeteria in that centre by residents, by persons on duty and by visitors. The cafeteria remains open, in fact; it is the servery adjacent to it that has been closed for the summer months, one of the reasons being that apparently much of the heat and humidity problem in the cafeteria is caused by that servery, particularly by the dishwashing. There were a number of staff complaints last summer, some of the staff threatened, in fact, to leave because of the heat and humidity problem. Obviously, there's a need for air conditioning to be installed. And the schedule has been put in place for the summer but I am assured that they will go back to their regular schedule in the middle of September, Mr. Speaker. I can supply the additional information privately to the Honourable Leader of the Opposition.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SCHREYER: Mr. Speaker, I would assume from the Honourable Minister's reply that we are talking of the same letter, this being a letter written by Dr. Reimer on behalf of the pediatric resident doctors at the Children's Hospital, and in that connection, Mr. Speaker, I would like to ask the Minister of Health if he is now contending that the change at the Children's Hospital has to do with the summer schedule of cafeteria hours, in which case I would like to ask the Minister if he has received a letter from a Dr. Reimer, to be specific, that is contending that there is a deterioration in service at the Children's Hospital? Has the Minister received a letter from this person?

MR. SHERMAN: I haven't received such a letter; I'll check to see if it has come in in the last 12 hours, Mr. Speaker. In that connection, at the risk of being impolitic, I might say that I have some sympathy for personnel connected with the Children's Centre; I think that they have felt that some of their interests have not always received top priority attention and I am looking into that and I sympathize with that position.

MR. SCHREYER: More specifically, Mr. Speaker, I'd like to ask the Minister in his follow-up on the question, or in his follow-up to the letters received from the pediatric resident doctors, whether he has ascertained as to whether or not a bulletin has in fact been posted for all personnel at the Children's Hospital, which bulletin is headed "Changes in Scheduling and Service due to Budgetary Cutbacks," specifically.

MR. SHERMAN: There is certainly such a bulletin posted with respect to the schedule of the cafeteria in the Children's Centre, the public cafeteria in the Children's Centre; that is correct, Mr. Speaker. And I believe that is precisely the way that it was headed. And it spells out the hours of operation, the limited service available on weekends and statutory holidays; I concur that that has taken place. But I asked the Health Services Commission for a full investigation and I can only assure the Honourable Leader of the Opposition that on the basis of that — and I'm not intending to stop at this point, I'm discussing it with the pediatric residents and others connected with the Children's Centre — but on the basis of that I am assured that this was undertaken by the administration of the Health Sciences Centre for two reasons: (1), as I say, was the air conditioning, the heat and humidity problem; the other obviously was apparently undertaken as a budgetary measure.

I could go into detail and advise the Honourable Leader of the Opposition that the report that I received indicates that under-utilization on the weekends of that facility did not justify the kind of service being offered, and the honourable member might well, in operating his own enterprise, adopt similar methods. It seems to be a rational approach. However, I'm not satisfied that the interests and the workload and the challenge facing personnel in the Children's Centre is always given the priority attention that I think all of us would feel it should be given. I think this has been perhaps a rather ongoing thing. I'm not happy with it and I'm carrying my investigation further.

MR. SCHREYER: To give the Honourable Minister a little more time to expostulate I'd like to ask the Minister as a follow-up to a question that was dealt with, not in any conclusive way, during the Minister's Estimates, and that is to ask the Minister whether he has decided on any alternative course of action with respect to the financing of the Winnipeg Youth — what used to be the Winnipeg Youth Action Centre which dealt with young people in distressed circumstances, and which receives funding principally from the Red Feather United Way Agency and from the province. I'd like to ask the Minister whether it is correct that the Red Feather group have increased the funding by some \$15,000 to \$20,000 while the province has decreased its funding to the Youth Action Centre by something in the order of \$40,000 to \$50,000. Has the Minister been able to come up with alternative arrangements?

MR. SPEAKER: The Honourable Minister of Health.

MR. SHERMAN: Mr. Speaker, with respect to that subject, all I can do is remind the Honourable the Leader of the Opposition that the grant that went to the street worker project last year from the province was a one-time grant. It was not a grant from the Department of Health and Social Development. Perhaps my answer was given at a time during my Estimates when the Leader of the Opposition was tied up in the other Committee but I attempted to answer it during the consideration of my Estimates. That money came through the Department of Urban Affairs and I believe the Department of Education, two other departments, not direct funding from the Department of Health and Social Development. That was a one-time grant, I understand from my colleague the year is over and there has been to my knowledge no determination to make another grant this year.

MR. SPEAKER: The Honourable Leader of the Opposition with a fourth question.

MR. SCHREYER: I'm sorry, Sir. One interesting reply bespeaks another question. I'd like to ask the Minister of Health, while accepting his contention that the funding by the province was not through the aegis of the Department of Health but rather through a couple of other departments, whether he will at his earliest convenience ascertain whether in fact that assistance was provided through two other departments — but certainly more than on a one-time only basis — and would the Minister take under consideration the advisability of continuing the same type of support by way of such programs as might exist through youth employment and municipal affairs, etc.

MR. SHERMAN: Yes, Mr. Speaker.

MR. SPEAKER: The Honourable Attorney-General.

MR. MERCIER: Mr. Speaker, I rise to answer some questions placed by the Member with for Fort Rouge to the Premier on Wednesday respect to the Emergency Measures Organization. I appreciate he is not here I'm sorry he is not here; when somebody, Mr. Speaker, makes such unfounded, unsubstantiated, unresearched allegations about a responsible organization of government, they should be answered as quickly as possible.

Mr. Speaker, the member alleged that EMO could not be contacted after 5 o'clock on the day of the disaster, that there was no one to answer the phone, and the provincial telephone operators could not contact anyone connected with the Emergency Measures Organization. Mr. Speaker, the Emergency Measures Organization maintains a 24-hour response number which is located in two or three pages of the telephone book. The office is closed on week days at 4:30 and remains closed on weekends but during these off-hours the emergency number, which is in the phone book, is manned by one of four EMO members in various shifts. They received phone calls beginning at 4:55 p.m. on Monday, June 19th with respect to this matter. They kept a log, which I have, which refers to all of the telephone calls that were received; received numerous calls, contacted the various departments that were involved as the calls came in; at the same time were involved in a search in the Carberry area, Mr. Speaker, with respect to the search for a missing boy. The Mayor of the Town of Morris, in fact, has advised Emergency Measures Organization and is writing to them to confirm that he was able to contact them very easily that particular evening on a number of occasions. There was, in fact, more than one phone in operation; in fact, up to three phones in operation that particular evening because additional staff members came in.

Mr. Speaker, the member also asked about requests for assistance. There were in fact no requests for assistance. The member asked about a time relation of 16 to 20 hours related to a request from the Mennonite Disaster Service, from the time that the call was made until some assistance was provided. Mr. Speaker, the representatives of the Emergency Measures Organization that evening actually were in contact with the Mennonite Disaster Service; early on in the evening, Mr. Reimer,

the head of that organization, advised representatives of EMO that he had no complaints about the operations that particular evening.

Mr. Speaker, a further question was related to whether or not any information could be provided through the media or by any other organization to residents as to what to do in these circumstances. Mr. Speaker, Emergency Measures Organization has written to all municipalities forwarding booklets advising residents what measures can be taken, one specifically in the event of tornadoes, and in the event of any other kinds of disasters that take place. These are also being forwarded to all of the media, who have this information on hand to advise residents what to do in these disaster situations. Mr. Speaker, —(Interjection)— Mr. Speaker, the members may not wish to hear; I am answering the questions that were placed by a member of the Legislature. I can't help it, Mr. Speaker, if the questions that were asked take up one page in Hansard. I wish to provide all ff the information. I think it can be —(Interjection)—

MR. SPEAKER: Order please. I hope all members will extend the courtesy to the member who is speaking. The Honourable Attorney-General.

MR. MERCIER: Mr. Speaker, I think it can be very fairly concluded that the Emergency Measures Operation was in a state of readiness, were active, were receiving all calls, were in close contact with the municipalities affected, have forwarded information to municipalities and the media as to steps to be taken in these circumstances. The Weather-Watch Program has just started recently but I am satisfied it is improving every week and will serve to provide many benefits to the citizens of this province in the event of any further disasters, Mr. Speaker.

MR. SPEAKER: The Honourable Member for Brandon East.

MR. LEONARD S. EVANS: With some trepidation, Mr. Speaker, I'd like to ask a question of the Minister of Urban Affairs. Perhaps I should ask it of the Minister of Finance, I'm not sure. Recent newspaper reports indicated that the Province of Manitoba has turned down requests by the City of Winnipeg to assist that city in accelerating capital works to combat soaring unemployment. In view of recent forecasts of continuing long-run unemployment and slowing down of the Canadian economic rate of growth, would the government now reconsider its decision not to assist the City of Winnipeg in combatting rising unemployment by assisting it to advance major public civic works projects?

MR. SPEAKER: The Honourable Minister of Urban Affairs.

MR. MERCIER: Mr. Speaker, we met with the City's official delegation last Friday when this matter was raised. We advised the City, of course, there are no moneys in the budget to actually construct additional projects this year, but the purpose of the request of the City was to attempt to determine whether any pre-designed work could be done this year in anticipation of the construction of projects which they would have in the budget next year in an attempt to expedite those projects. We advised the City, Mr. Speaker, that in view of the fact we are providing \$15 million in cash flow for their construction projects this year, mainly in the form of regional street projects, and in view of the fact that their prices that are coming in may appear at this point in time to be under their estimates, that there may be some money available in that \$15 million to be applied to the design work of construction projects which they wish to proceed with next year. They are in the process, Mr. Speaker, of checking their figures in the cash-flow situation and attempting to determine and estimate what amount of money, if any, will be unused from that \$15 million, and they will be reporting to us at a later date with a view to perhaps getting some agreement that moneys that will not be spent this year for specific projects may in fact be used for design work projects next year in order to expedite those projects.

MR. EVANS: I'd like to ask the Minister a supplementary question — or perhaps it should be addressed to the Minister of Finance, or the Minister of Municipal Affairs — whether the province has any plans to estimate the amount of construction of civic works that could take place this coming winter in view of forecasts of serious unemployment that may be occurring later this year. Would the government be prepared to survey other municipalities in the Province of Manitoba with a view to seeing how certain public works' construction may be accelerated to assist in alleviating unemployment that is expected to rise again next winter?

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

MR. SAMUEL USKIW: Mr. Speaker, in the absence of the Minister on Industry I would like to put

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this question to the Minister of Finance. It has to do with the Massey-Ferguson company who have recently relocated from Winnipeg to Regina. I am wondering whether the Minister could tell us just why it is that this company is moving its operations to the Province of Saskatchewan in view of all the great benefits that they would now enjoy in the Province of Manitoba.

MR. SPEAKER: The Honourable Minister of Finance.

MR. CRAIK: Mr. Speaker, I imagine part of the reason is that the decision was made before they knew the government was going to change here.

MR. USKIW: Well, I would then ask the Minister whether there was any attempt to convince them that the mode is different in Manitoba as of October, and that indeed that in moving to Saskatchewan they would be going back to socialism so, Mr. Speaker, surely the Minister would have made that particular intervention.

MR. CRAIK: Mr. Speaker, in view of the fact that we have a visitor in the Loges from Saskatchewan, I wouldn't want to give away any battle plans.

MR. SPEAKER: Before we proceed, perhaps it is appropriate at this time to introduce to the honourable members the Honourable Gordon MacMurphy, Minister of Municipal Affairs and Transportation from the Province of Saskatchewan.

We also have 33 students from Blumenort School, under the direction of Miss Betty Plett. This school is located in the Constituency of the Honourable Minister of Industry of Commerce.

On behalf of all, we welcome you here today.

The Honourable Member for The Pas.

MR. RONALD McBRYDE: Mr. Speaker, some time ago I asked the Minister of Health and Social Development if he could give us some statistics on the unemployed employables in receipt of social assistance, especially in northern Manitoba, so that we could get some idea of the disastrous affects of this government's policy in that part of our province.

MR. SPEAKER: The Honourable Minister of Health.

MR. SHERMAN: Yes, Mr. Speaker, that has not been overlooked. I don't have that information with me but I will supply it to the honourable member at the earliest opportunity next week.

MR. McBRYDE: Mr. Speaker, I would like to address a question to the Attorney-General. I believe the Attorney-General has received a request from the Fairford Indian Band for the review of a case affecting members of that band, a case known as the Chan Murder Case. I wonder if he has found any grounds to review that case or whether there were no grounds to review that case again.

MR. SPEAKER: The Honourable Attorney-General.

MR. MERCIER: Mr. Speaker, there has not yet been relayed to my department any information which would substantiate a further review of that case.

MR. SPEAKER: The Honourable Member for Inkster.

MR. GREEN: Mr. Speaker, I would like to direct a question to the Minister of Education. In view of the lack of communication between him and his colleague, could he tell me whether his department will continue the financial assistance to the Shaughnessy proram that I previously referred to which is a program which the parents are very much involved in, which has been very successful and which has deserved and received the support, apparently, of both levels of government? Will the school continue to receive that support or is that money now going to be used to finance primate schools for the teaching of religions, and dividing our province into different ethnic groups?

MR. SPEAKER: The Honourable Minister of Education.

HON. KEITH A. COSENS (Gimli): Mr. Speaker, in answer to the Member for Inkster, and I believe this is the same question that I took as notice earlier in the week, the answer to the question is no.

MR. GREEN: Mr. Speaker, do I then understand that the school will not continue to receive the

money? A no answer to a double-barreled question begs a question. Would the Minister specify, will the school continue to receive provincial support?

MR. COSENS: Mr. Speaker, if the Member for Inkster is referring to the summer program, I understand that there is no provincial funding going to the particular summer program regarding day care. If he is referring to some other program at the school, I am not aware that that has been terminated.

MR. GREEN: Mr. Speaker, I am referring to the program that I more specifically mentioned to the Minister of Health yesterday, and I read the title to it, which I believe is an ongoing program during the year which receives provincial support in conjunction with federal support, is the Minister indicating that that support will be discontinued?

MR. COSENS: Mr. Speaker, I am not aware of any ongoing program that is being terminated. I thought that the Member for Inkster was referring to a particular summer program in that area.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SCHREYER: Mr. Speaker, to the Minister of Education. Given the announcement last week by representatives of the University of Manitoba Faculty Association, that because of the budgetary circumstances at the University, that they were contemplating strike action next autumn, I would like to ask the Minister whether in light of that announcement he has seen fit to initiate any extra course of action such as meetings with the Faculty Association, either directly or through the aegis of the University Grants Commission or any other type of action to monitor this situation?

MR. COSENS: Mr. Speaker, I can assure the Honourable Leader of the Opposition that we are monitoring the situation at our universities continually, and will keep a very careful watch on what is developing.

MR. SPEAKER: The Honourable Member for Kildonan.

MR. PETER FOX: Yes, Or. Speaker. During the Estimates of the Minister of Labour on the Labour Department and the Civil Service, she banked a number of questions. I wonder when we will be receiving the answers to those questions.

MR. SPEAKER: The Honourable Minister of Labour.

HON. NORMA L. PRICE (Assiniboia): They are being put together now, Mr. Speaker, and as soon as I have them I'll bring them to the House.

MR. SPEAKER: The Honourable Member for Rupertsland.

MR. HARVEY BOSTROM: Thank you, Mr. Speaker. My question is to the Minister of Public Works regarding the sale of certain government aircraft a couple of weeks ago by the Provincial Government. Can he indicate if in the advertisements or in the information which was provided to the bidders they provided the bidders with the information of the government's reserve level of — the reserve bid, in other words — on these aircraft?

MR. SPEAKER: The Honourable Minister of Public Works.

HON. HARRY J. ENNS (Lakeside): Mr. Speaker, I would have to take as notice the specific part of the question as to whether all bidders were given that information. I suspect they were; all I can indicate to the House is that the reserve bids that were put in place by the Department of Public Works were considerably exceeded by any final acceptance of offers. I believe in the case of the Beavers the reserve bid stood in the neighbourhood of \$60,000; the original aircrafts were purchased at \$45,000 to \$49,000, the reserve bid was some \$60,000 to \$65,000 and we sold them for \$82,000 to \$89,000, in the case of the 4 Beavers.

In the case of the Skymasters, the Cessnas, the 2 units; there was some reconsideration of the reserve bid having to do with recognizing the numbers of hours logged by the aircraft. But I could get some further information for the honourable member and convey that to him privately.

MR. BOSTROM: Mr. Speaker, my specific concern is with respect to a rather unusual reserve bid.

Perhaps the Minister has alluded to it in his answer on the CFNRI Skymaster, where the reserve bid for all the other aircraft were rounded off to the nearest \$100; in this case the reserve bid was right down to the cents, \$30,267.80, exactly equal to the highest offer which was received by the government. Now, Mr. Speaker, it appears to have been a rather unusual set of circumstances where the reserve bid was so accurately determined right down to the nearest cent, and that the highest offer from the purchaser would happen to coincidentally just happen to match that reserve bid which was established by the government.

MR. ENNS: Mr. Speaker, I'm firstly pleased to note that the departmental memos are obvious still flowing to the former Minister in an appropriate manner so that he's fully apprised of all the information. In this particular case, the question of the Cessna involved was very simple, and if he will refer back to his files he'll note or I imagine he will soon get a Cabinet minute to that effect, that the Cessna in question was refused, was rejected, was not sold because of failure of a bid meeting that reserved bid. However, the successful purchaser was given a further opportunity to meet the reserved bid which was very specific which had to do with the hours logged, and under those basis, under those circumstances, having met the reserved bid the aircraft was sold.

MR. SPEAKER: The Honourable Member for Rupertsland.

MR. BOSTROM: Mr. Speaker, I find it difficult to believe that in the case of four DeHavilland Beavers the reserve bid was set as approximation to the nearest \$1,000 — \$65,000 on each of those aircraft.

MR. SPEAKER: Order please. Has the honourable member got a question?

MR. BOSTROM: Yes, Mr. Speaker. Mr. Speaker, I sat patiently and listened to lengthy answers by the Minister and I would like to be able to state my question.

MR. SPEAKER: Order please. Will the honourable member please proceed with his question?

MR. BOSTROM: Mr. Speaker, in view of the fact that the government has established reserve bids on the four Beavers to the nearest \$1,000, and on one of the Skymasters at least equal to the nearest \$100.00, why, and what rationale did they use to establish a reserve bid to the exact cent in the case of the one Skymaster which they so happened and coincidentally match up with the highest offer from a . . .

MR. SPEAKER: Order please. Order please. Repetitive questions should not be asked in the House. The Honourable Leader of the Opposition.

MR. SCHREYER: Mr. Speaker, I'd like to ask the Minister of Public Works if he would take under advisement the policy question of giving a bidder in a context of a bid sale situation in which there is a reserve bid, the opportunity to match the reserve bid in the event that his first bid fails to do so, whether he will take this under serious contemplation really, and advise whether this kind of policy in the long run can be other than unethical and quite prejudicial, whether it be to the Crown or even to the private sector operating on that basis.

MR. ENNS: Mr. Speaker, I'm more than prepared to take that question under advisement. Let me remind the Honourable First Minister that that practice is probably better than not setting out any reserve bid, or not allowing any bidder the information or any tendering system, or foregoing the tendering system as we were well into the process of under the previous administration, whether it involved the massive purchases of school buses, whether it involved the directives sent out by my predecessor, the Minister of Public Works, as to what kind of beans people should be eating in the institutions of government nature, without any tender, and I wish to correct the Member for Inkster, it was not a question of being equal, it was being a question of . . .

MR. SPEAKER: Order, Order please. The Honourable Leader of the Opposition with a supplementary.

MR. SCHREYER: Yes, Mr. Speaker, I am asking the Minister, and I don't wish the question to be misconstrued as being somehow critical of the tender system, which system is still the most practical and fairest in respect to many many construction contracts and many of the acquisition practices and even Crown assets disposal — practices of the Crown. I am asking the Minister if he will simply contemplate, take under consideration, whether it can be tenable and workable in

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the long run to operate under a tender system in which if a reserve bid is not matched or exceeded that the bidder is given a second opportunity to match, whether this kind of practice, if practised consistently, will not in effect undermine the very nature of the tender system?

MR. ENNS: Mr. Speaker, I can advise the Member for Rossmere, the Leader of the Opposition, that under our tenure of office the tendering system will generally be reinforced and practised more vigorously than it has been in the last eight years. Whether or not an individual situation arises where the practice that the Leader of the Opposition alludes to is used I suppose is dependent to some extent as to the desirability of disposing of an asset. If the decision has been made to dispose of an asset and an agreed to reserve bid position is placed that will from time to time determine that action and I have no difficulty defending that. But I can assure the Honourable Leader of the Opposition that in the next four years the tendering practice in the Province of Manitoba will become a great deal healthier.

MR. SCHREYER: When the Minister of Public Works refers to some expansion of the tendering system in terms of certain services and goods being required by the Crown being required to be tendered, and that this tendering system has been expanded, I'd like to ask the Minister of Public Works, who also happens to be the Minister of Highways and therefore it's relevant to ask, whether he will find out, whether in fact in the early 1970s the government of the day expanded the tendering system by requiring that certain highway work and heavy equipment excavation work that had hitherto been done on an hourly basis, was subsequent to the early 1970s required to be put out on a tender basis, on a bid hourly basis, and as such that too was an expansion of the tendering system.

MR. SPEAKER: Order please. The time for questioning having expired, before we proceed with the Orders of the Day I should like to introduce 40 pupils of the Erickson Elementary School, Grade 6 standing, under the direction of Mrs. Woychyshyn. This school is located in the constituency of the Honourable Member for Minnedosa.

Also in my loges to the right, Dr. Hugh Horner, the Deputy Premier of Alberta.

On behalf of all members of the Legislature we welcome the school..and Dr. Horner here this morning.

The Honourable Government House Leader.

BUSINESS OF THE HOUSE

MR. JORGENSEN: Mr. Speaker, before proceeding to Orders of the Day I would like to announce that the Industrial Relations Committee will be meeting in Room 200 at 10:00 o'clock on Tuesday, June the 27th, to consider one bill that has been referred to that Committee, Bill No. 28, an Act to amend the Payment of Wages Act.mm

ORDERS OF THE DAY

MR. JORGENSEN: Will you please call, Mr. Speaker, Bills No. 42 and 54 standing in the name of the Honourable the Attorney-General for second reading, and then Bills 38 and 39, 15, 25, 26, 29, 30, 31, 36 and 44. If we conclude the bills that are on the Order Paper in second reading it is my intention to move in the Committee of the Whole to consider Bill No. 14, an Act to amend the Income Tax Act.

GOVERNMENT BILLS — SECOND READINGS

BILL NO. 42, AN ACT TO AMEND THE QUEEN'S BENCH ACT

MR. MERCIER presented Bill No. 42, An Act to amend the Queen's Bench Act, for second reading.

MOTION presented.

MR. SPEAKER: The Honourable Attorney-General.

MR. MERCIER: Mr. Speaker, the main purpose of the amendments in this bill is to give the County Court judges broader jurisdiction particularly in matters of divorce and other matrimonial causes so that they will be able to exercise Queen's Bench jurisdiction in these matters along with jurisdiction to deal with cases arising under The Family Maintenance Act or The Marital Property Act. Presently, Mr. Speaker, County Court judges act as local judges of the Court of Queen's Bench only outside the eastern judicial district.

The effect of Sections 1 to 3 of the bill is to make all County Court judges local judges of the Court of Queen's Bench throughout the province. However, in the eastern judicial district, the jurisdiction is restricted to matrimonial causes, Mr. Speaker. A matrimonial cause is defined in Section 1 of the bill and Section 9(2). The purpose, Mr. Speaker, is to ensure that the County Court and the Court of Queen's Bench will share the increased workload which is anticipated as a result of the passage of The Family Maintenance Act and The Marital Property Act.

Mr. Speaker, I might explain that the Court of Queen's Bench was concerned that their court would quickly become the Family Court for the Metropolitan Winnipeg area because it is the only court with full jurisdiction in all family matters but these amendments will give the County Court judges, as I say, in the eastern judicial district full jurisdiction in family law matters as local judges.

Mr. Speaker, the two further amendments deal with making the public trustee the next friend of, as well as the guardian of an infant who does not already have a next friend or guardian and will permit the Public Trustee to initiate actions on behalf of infants in appropriate cases. Secondly, the amendment to Section 27(2.1) will require the Public Trustee to receive notice of any settlement of claim on behalf of an infant. This is similar to practice in Ontario, Mr. Speaker, and other western provinces. It does not require the Public Trustee to take any action but in an appropriate case, the Public Trustee may make representations to the court on behalf of the infant.

Further, Mr. Speaker, the amendment will expand and clarify the position of the Public Trustee's entitlement to costs in an action. In this regard, costs may be made payable to the Public Trustee in the same manner as costs are payable to other counsel for services rendered.

MR. SPEAKER: The Honourable Member for Kildonan.

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

MOTION presented and carried.

BILL NO. 54 — AN ACT TO AMEND THE MUNICIPAL ASSESSMENT ACT AND THE CITY OF WINNIPEG ACT

MR. MERCIER presented Bill No. 54, An Act to amend The Municipal Assessment Act and The City of Winnipeg Act, for second reading.

MOTION presented.

MR. SPEAKER: The Honourable Attorney-General.

MR. MERCIER: Mr. Speaker, the purpose of this bill is to bring certainty to the legality of the assessment roll for the City of Winnipeg and for those municipalities whose rolls are completed under The Municipal Assessment Act. As members will appreciate, The Municipal Assessment Act requires that a municipality be reassessed not later than every five years and under The City of Winnipeg Act, it requires a reassessment every three years. As members are aware, Mr. Speaker, because of a number of factors, a reassessment of the City of Winnipeg has not been carried out for a number of years and in rural Manitoba there are a number of municipalities where the reassessment has not been carried out within the five-year statutory period.

Mr. Speaker, during the Estimates review of the Department of Municipal Affairs, I indicated my concern about this problem and a number of members opposite who attended the Municipal Affairs' Estimate review also expressed concern over this matter. There are a number of areas of assessment in this province that members should be concerned about, Mr. Speaker. The general levels at which this property has been assessed in relation to the marketplace has been declining over a number of years, both in the City of Winnipeg and in other parts of the province. Where there is too great a discrepancy between the level of assessment and the market value of the property, distortions and inequities are bound to occur. The purpose of this bill, therefore, is to make certain that the municipalities in Manitoba have a valid assessment roll, notwithstanding the fact that reassessments have not been done in a number of municipalities and the city within the statutory time period.

Mr. Speaker, there is contained in the legislation a time limit for reassessment to December 31, 1983, so that there will be an obligation and a duty and a responsibility to ensure that the sections of the Act are complied with prior to that period.

MR. SPEAKER: The Honourable Member for Selkirk.

MR. HOWARD PAWLEY: Mr. Speaker, would the Minister of Municipal Affairs entertain a question?

MR. MERCIER: Yes, Mr. Speaker.

MR. PAWLEY: In view of the fact that the bill provides for a date of 1983, by which the assessing will have to be completed by, does the Attorney-General, the Minister of Municipal Affairs, intend to immediately gear up with the employment of additional assessors this fiscal year in order to assure himself that he will not have to return to this Legislature in 1983 for a renewal of the provisions of this bill?

MR. MERCIER: That question, of course, Mr. Speaker, is based on the presumption that members on this side will, of course, be in government in 1983 and I thank the member for his sympathy and his support for us.

But in any event, Mr. Speaker, this problem is being reviewed at this time within the Department of Municipal Affairs and I indicated this to members opposite during the Estimates review. Whether it will be necessary to hire a much larger additional number of assessors will depend upon the approach that results from our review and our discussions and our decisions as to the method by which we intend to proceed.

Mr. Speaker, the date is there because the City of Winnipeg has indicated that they have under way a program to update their assessments by the 1981- 82 period so that there is somewhat of a period of grace there in order to allow for the city's plans which were developed some time ago to bring their assessments up to date by that time period.

MR. PAWLEY: Mr. Speaker, I wonder if the Minister of Municipal Affairs would excuse me for overlooking the fact that there would be an election in 1980 or 1981.

MR. MERCIER: Mr. Speaker, I apologize. That will be a matter, I assume, that will be dealt with by the Premier at the appropriate time.

MR. SPEAKER: The Honourable Member for Kildonan.

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

MOTION presented and carried.

MR. SPEAKER: Bill No. 38. (Stand)

BILL NO. 39 — THE FAMILY MAINTENANCE ACT

MR. SPEAKER: The Honourable Member for St. Johns has 28 minutes.

MR. SAUL CHERNIACK: Mr. Speaker, I wonder if that could be allowed to stand?

MR. MERCIER: Mr. Speaker, I could close debate.

MR. SPEAKER: Order please. Can I seek the advice of my Clerk here? I believe the member had started to speak.

Order please. The member has already started to speak; if anyone else wishes to speak other than the Attorney-General — the Attorney-General cannot close debate on it; that's all I am concerned about.

MR. ENNS: A point of order. I would ask for some reconsideration of that position taken. The member is free to carry on in his discussion of the bill and/or, as you correctly pointed out, any other member, including the Attorney-General, who after all is a member of the Chamber, is free to speak, and in the case of the Attorney-General of course, would be closing the debate.

MR. SPEAKER: Order please. The point I was trying to make was that the floor is open to anyone who wishes to speak on this bill. If the Member for St. Johns does not wish to speak now and someone else wishes to speak then that will be considered that the Member for St. Johns has completed his remarks.

MR. ENNS: Mr. Speaker, the point that I think should concern you, Sir, and all other members, is that if the precedent that we are now establishing that a member can begin to use up perhaps 10 or 15 minutes of his remarks on a bill or any other matter, then adjourn for a while, and reassume his right to pick up and in effect re-enter the debate a second time on any occasion, that's a rather dangerous precedent, Sir. The rule is very clear, even to the point where a member's remarks are sometimes interrupted by supper hour adjournment, the member returns at 8:00 o'clock when the House resumes and finishes remarks in the allotted time. What the Honourable Member for St. Johns is asking for is a very special consideration, a very bending of the rules, which I don't think our rules can allow.

MR. CHERNIACK: Mr. Speaker, if honourable members opposite, and especially the Minister of Highways is not prepared to give me the consideration I ask, then of course I can go on. I want to point out to honourable members opposite that if they are so impatient that they must hear, even when I ask for the consideration to stand it over, then by all means I will speak. I am not going to be put in the position that the Minister of Highways may have wanted to put me in, of begging his permission to stand this over, Mr. Speaker. It is obvious to me, Mr. Speaker, that the Minister of . . .

MR. SPEAKER: Order please. Order please. The Honourable Minister of Highways with a point of order.

MR. ENNS: It is not a question of anybody begging for any permission in this House; it's a question of a member seeking special status, special rules for himself, which is something, of course, we have come to expect from the Member for St. Johns. He can't abide by the rules like all other 57 members of this House.

MR. SPEAKER: The Honourable Member for St. Johns on a point of privilege.

MR. CHERNIACK: Mr. Speaker — no, I'll drop that; I'll speak to the point of order. The honourable member, the Minister of Highways, has a right to raise a point of order. He does not have a right to make a speech, Mr. Speaker, and I'm telling that to him because I don't dare tell it to you, Mr. Speaker, because it's not for me to tell you how to operate in the Chair. But I'm telling it to him, Mr. Speaker; he has no right to make a speech when w he rises on a point of order and it so happens that the Minister of Highways is a specialist in that technique. Now, Mr. Speaker . . .

MR. SPEAKER: Order please. I thank you for your point of order. Does the member wish to continue with his speech now?

MR. CHERNIACK: Yes, Mr. Speaker, thank you. I would be glad to continue with the co-operation of th House, which means, of course, Mr. Speaker, any member opposite can get up and disrupt the occasion for me to make a speech and that is their privilege, not their rights. And it's a privilege that they have only to the extent that they're allowed to get away with it, Mr. Speaker.

I asked to let this stand because I had just come in; I didn't even have my file in front of me at the time when I asked that it stand, and I know very well the rule that no one else could speak whilst I am in the middle of my speech, but it could have been possible to stand it over later into the morning or even to another day and have no one speak. But naturally, I assume that there are so many people present opposite who are so anxious to speak on this matter that, Mr. Speaker, they wanted to go ahead today rather than lay it over.

MR. SPEAKER: The Honourable Attorney-General.

MR. MERCIER: Mr. Speaker, if the Member for St. Johns wishes to . . .

MR. SPEAKER: Order please. Would the Honourable Attorney-General please identify what his point is?.

MR. MERCIER: Well, I think, Mr. Speaker, the point of order is that if the member is prepared to speak this afternoon, immediately some time today that would allow this matter to be dealt with further, I personally wouldn't have any objections; my only concern was that the matter be dealt with today so that this matter not be delayed any further and so that the whole process before Law Amendments Committee will go into the summer months when people who wish to make submissions will be away on holidays.

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

MR. PAWLEY: Yes, Mr. Speaker. To the point of order raised by the Attorney-General, just so that the Attorney-General recognizes the fact in his point of order that the Minister of Health and Social Development stood this matter over several times, and certainly it cannot be blamed on the Member for St. Johns if he should ask to stand it over today, as being put over into the summer holidays.

MR. SPEAKER: Order please. The Honourable Minister of Health.

MR. SHERMAN: On the same point of order, Mr. Speaker. I stood this matter once, the bill was called once and I stood it. I was in my Estimates, as the Honourable Member for Selkirk knows; anybody else could have spoken when I stood it. I didn't ask to have the matter stood over in the middle of my remarks. The first time the bill was called when I had a chance after completion of my Estimates to speak to it, I spoke to it and I used up my time at that time and did not try for the kind of broken delivery that the Member for St. Johns asked.

MR. SPEAKER: The Honourable Member for St. Johns still has 28 minutes.

MR. CHERNIACK: Thank you, Mr. Speaker, I'm glad you're keeping a record of the time that is being taken up. You know, the Honourable Attorney-General is a very accommodating person, but it so happens that he only sits at one end of the front bench and obviously has no line of communication with the other end of the front bench. So, it's all right if again members opposite feel it necessary to proceed this quickly after they have handled the bill in such a shabby, shoddy way, having participated in debate over a number of different legislative committees which have debated it backwards and forwards and every which way, that they then delayed the entire objective of the Maintenance Bill that was passed a year ago, that they delayed it over through the special session which was called at the end of last year, that they let it stand in order to put improvements into it on the enforcement basis, to find the Minister of Health having to get up and to say, "I am not happy with this bill." Mr. Speaker, is there anything more shameful than the Minister of Health, who had participated in this debate and on this subject for a number of months, for over a year, to get up now and say, "I am not happy with the bill that is being presented by the Attorney-General." The Minister of Health has the gall to come in here and rise quickly to make a speech on this issue admitting that he has made no contribution whatsoever to the improvement of the bill after all the speeches he made about the bill needing to be improved. I know he was busy, but at least he should have stayed out of this conversation rather than to come here and admit openly and publicly that he has to live with the fact that the criticism he had of this bill a year ago still applies, and that means that he's been doing nothing about the work on the enforcement of maintenance, in that entire period of a year.

And Mr. Speaker, he asked if I prefer he didn't admit it; I am not his conscience; I am not the person that has to be concerned about how he stands in relation to the bill that's come in before us by the other members. If the Honourable Minister of Health wishes to speak again he can easily arrange to do so by having someone move a six-month hoist and then he can come along and speak. But if he wants to speak from his seat, as he continuously tries to do this morning . . . Yes, Mr. Speaker.

MR. SPEAKER: I hope that the honourable members will give the opportunity to the Member for St. Johns to make his speech.

The Honourable Member for St. Johns.

MR. CHERNIACK: Mr. Speaker, thank you very much. I've been here long enough to know that when one gets the kind of interruptions that are coming from the Minister of Health this morning it is only because he feels wounded in some way and under attack and therefore feels it necessary to respond and the only way he has to respond now is by interruptions and by making comments from across the way. I suppose he still finds it necessary so to do, Mr. Speaker, but don't stop him, Mr. Speaker, because he wants to keep that on. Let me tell the Minister of Health that he is a member of a Cabinet . . .

MR. SPEAKER: Order please. I suggested once that the honourable members give the courtesy to the Member for St. Johns to complete his remarks.

The Honourable Member for St. Johns.

MR. CHERNIACK: Mr. Speaker, the Minister of Health was the spokesman for the entire caucus of the Conservative Party when he was on this side of the House on this matter of the maintenance bill. If you recall, Mr. Speaker, when he spoke on The Marital Property Act he spoke in condemnation of the bill and I got up then and I expressed surprise that he, who had expressed such interest in progressive legislation such as The Marital Property Act, should speak in opposition. He was very incensed and he made the point that he was the official spokesman for the Conservative Party and that it was not necessarily his own opinions he was expressing but rather that of the caucus. He proved that point by standing up and voting in favour of The Marital Property Act. That was an indication of the fact that he spoke from his heart and spoke sincerely.

Well then, when it came to the maintenance bill, he may have had other criticisms, but his main criticism was on the weakness of the enforcement provisions and that's what he spoke about a year ago, Mr. Speaker — I may be out a month. Mr. Speaker, for him to come a few days ago, as he did, to say, "I know there's no improvement in the enforcement provisions, I know, therefore, that all my criticism of a year ago still applies," and to do that now in such a way as to show that he feels it an affront that I should bring that to his attention is ludicrous, Mr. Speaker, because he has had a year within which to work to improve the enforcement provisions. He's done nothing whatsoever about it, Mr. Speaker, and for that, I think he deserves criticism. I know he's been busy in the last seven months but, Mr. Speaker, he's a member of a Cabinet and of a caucus which had the nerve, had the nerve to delay the proclamation of The Maintenance Act in spite of the fact that there were people who came before Committee of the Whole and pleaded that the maintenance bill, with all its weaknesses, in their opinion, should be kept on, should be brought in and improved. Not only didn't they improve it; they did nothing about it whatsoever except to deny to many people the opportunity to work under the progressive legislation which he claims is now being brought before us. He said, "The time has come to move forward." Mr. Speaker, for a Conservative to say the time has come to move forward is a good indication that the time is long past when Conservatives should have moved forward.

So now we know that this Minister of Health who says, "Well, we had an imperfect Act and now we have an imperfect bill but it's less imperfect than the imperfect Act that was passed, therefore I will vote for it," is only saying that Cabinet solidarity has forced him to vote. I think it would have been better on his part had he not tried to make that kind of lame position. If he had said, "Cabinet solidarity insists that I vote in favour of it, then I will vote so." But I admit, as he did, that in his opinion the enforcement provisions are inadequate.

All right, Mr. Speaker, I will move on. I will move on to consideration of the bill before us. I will move on to state my opinion that this bill does not move the law forward to any appreciable extent, that this bill takes us back — way back — to the entire law which existed before — maybe even before The Wives and Children's Maintenance Act was brought in, because what it does is open completely the discretion of the court to deal with maintenance as it sees fit. I must say, Mr. Speaker, I do have more faith in the court than I have in the Conservative Party in regard to considerations of marital problems. So if I had to choose between the Conservative Party making decisions and a court, I guess I would choose the court.

But, Mr. Speaker, I do not believe that the courts should become involved in probing and prying and getting itself into the inner family arrangement of any family in order to try and assess some form of fault. That is not the intention of maintenance, Mr. Speaker. The intention of maintenance is to provide support to a dependent spouse and to children of that spouse who are living with him or her, to see to it that they are not put to a standard of living that is less than they ought to be in the light of the capacity of the earning spouse to contribute. But the main thing and the big change that was brought about by the legislation which is now on the statute books is the recognition, which is stated in this bill but which I believe is meaningless in the light of what else is stated in this bill, that it is the obligation after separation for a spouse to take all reasonable steps to become financially independent. That, I think, is a big step forward that the statute law has carried forward last year by the New Democratic Party and with the prodding and assistance of so many people involved in the entire problem of domestic affairs.

Mr. Speaker, the Act that we brought in last year stated unequivocally that the purpose of maintenance shall be to assist a dependent spouse to become independent, if at all possible. That is the intent. And that is not the intent of the this bill before us which is, in its very nature, one which brings in retribution back into a family, which brings in the whip, in effect, to say to a husband who may be the supporting, who usually is the supporting spouse, to say to him, "Now, be careful. We now have here a clause that your conduct may penalize you in terms of making you pay an exorbitant maintenance charge because you did not behave properly in the marriage, because you have repudiated the marriage relationship in a gross way, therefore, under the Section in this Act, you may have to pay triple, or quadruple, what would normally be the entitlement of a dependent spouse to become financially independent. —(Interjection)—

The Member for Minnedosa has made a contribution. I hope he will get up and make the

on his feet, to discuss this aspect of it, because there is an important principle involved in the change brought in by this bill and that principle is retribution. That principle is to say to people that the way you behave must be considered by a court which in determining the amount of support will carry forward the retribution that we, the Court, feel is necessary in order to find fault and to punish, and that is, I think, a terrible thing. A marital relationship which breaks is a tragedy in itself, but to carry it to the next step, to bring in vituperation, to bring in the washing of all the dirty linen that went on before, it makes it even that much worse and has a terrible effect, not only on the two spouses involved, but on the children of those spouses. And that is what the Conservative Government is bringing back into the Courtroom — that kind of exposure.

Now, Mr. Speaker, there is a difference of opinion that I previously mentioned between the member who spoke from our party just before I did and me, and that difference of opinion is a matter of interpretation. And, Mr. Speaker, it's got to be corrected. I don't think that the Attorney-General can be so proud of the legislation to make it possible for there to be a difference of opinion of interpretation at a stage when the bill has not yet gone through a committee of the whole. I believe, that in spite of the fact that the Member for Inkster thinks that amount is all that is considered when it comes to gross misconduct, or gross fault, as set out in the conduct section of this bill, I believe that the section discussing factors effecting the order, make it possible for the Court to go behind the marriage relationship previous to the separation, and must look into all circumstances and finding fault may then say, "I'm not going to make an order at all."

Now, the other interpretation is that the Court cannot find fault under factors affecting order, but is bound to make an order but the amount shall be determined based on fault. I say that the order can be denied completely, because of fault. The fact that there is a disagreement of interpretation will force, I believe' the Attorney-General to consider changes, so we find out what do they really mean? And I put it to the Attorney-General, who is most interested in closing debate quickly, to clarify what does he mean and what does his Cabinet mean and what does the Conservative Party of Manitoba mean? Do they mean that fault shall not be considered when it's being decided on whether or not to make an order, and therefore, do they mean that only the amount shall be considered, shall be affected by a fault consideration, or do they mean that under the section dealing with factors affecting an order, the court may find fault and not make an order. I want him to understand.

The Member for Inkster has stated that in his opinion fault is not a factor in determining whether or not to make an order because he says that because there's a conduct section, then fault shall not be considered on whether or not to make an order, but an order shall be made. But that then when one comes to consider amount, then the question of fault comes into play and the court may then determine not to give nothing but to give only a dollar. That's his interpretation. My interpretation is that the court has two methods by which it can punish the wrong-doer. It can use the amount as a weapon and a punishment and it can also refuse to make an order on the basis of fault because of the fact that it shall consider all the circumstances.

I think that the Honourable Attorney-General has to make it clear not only what do the Conservatives think, but also what does the law say, what do his legal advisors say about it because, and again when I was criticizing the Minister of Health, I have to add to the fact that they, his government, employed three lawyers to review the entire existing law, to make recommendations, they made recommendations, they then redrafted the whole thing and yet we come about with what seems to be a contradiction and interpretation on this section.

So, Mr. Speaker, we will yet in Law Amendments Committee hear other opinions and have other presentations and will again review all the matters that we reviewed in the past and particularly the Conservative weapon that they've put into this bill dealing with fault as between the spouses.

Mr. Speaker, the financial information section is now poorly drawn because we don't know just how it's to be used. From reading the bill, one sees that a spouse must reveal information relating to the financial affairs of that spouse to the other spouse. But, Mr. Speaker, although it says they must do so, the only way they can deal with that is by going to a court to enforce it. It may well be, Mr. Speaker, and not it may well be, I know, I've had enough experience in domestic problems on behalf of clients who consulted me in matters that I've been involved in, in my law practice to know that there can be a marriage that's getting along fairly well, but that one spouse's lack of knowledge of the financial resources of the other spouse can make the difficulty as between the parties themselves. And the way the law was drafted and passed last year, it imposed an obligation.

Now it's true that if the obligation was not carried out that that other spouse who refused to give the obligation could only be forced to do so through the court, but there was another provision. There was an imposition in that bill on the accountant of the spouse, who had the financial capacity and refused to reveal it, to give the information or of the employer.

Mr. Speaker, do you know how many people there are in the City of Winnipeg who don't know

the earnings, never mind the financial resources or the savings or the inherited wealth of a spouse. There are women in this city who don't know how much their husbands earn and I say that that is a shame that that should take place. Under the Act that is now on the statute books, there is firstly the statement that that information has to be available and second, there is a statement that an employer shall reveal it. It means now, Mr. Speaker, that it is possible for a spouse who doesn't know, to find out without having to go into court and without having to force the issue the way this bill requires them to do. And I think that it's an awful shame that again the adversary system is being brought right into the bill by the Attorney-General and is being part and parcel of bringing us backwards, far backwards to the old rule which says that one spouse has greater rights than the other, the earning spouse is put in a superior position to the other and attacks the whole concept of a true partnership between the parties to a marriage.\$

Mr. Speaker, the other factor of course is that we know there's no sharing of ownership of the family assets, but it also seems to me that even under occupancy of family residents, there could be a possibility that a sale can be made before an application is made to postpone the sale and the sale having been made, they would therefore, the spouse that does not have title to the property could lose even the right to occupy the family residence because the family residence may disappear.

Just to touch on the question of unmarried cohabitation, Mr. Speaker, there is no provision for an order to be made except in the case of a man and woman who are not married to each other but have cohabited for a period of one year or more and there's a child of the union. Now that means, Mr. Speaker, that there could be a common-law marriage that could have lasted 20, 30, 40 years without there being a child of the union and there is not protection for either spouse in the event of a break in their relationship in the event of a separation. Mr. Speaker, just take the case which does occur where there may be two people in a common-law marriage caused by the fact that one of them may not have the right to marry due to a prior marriage that has not been dissolved, that may have been living together for 20 years and there is a break in the marriage relationship — there's no provision in this bill which makes it possible for the one spouse to say to the other — when I say spouse, I mean common-law spouse — to say to the other, "Don't enter the premises in which I live."

Mr. Speaker, you probably have not had that experience although you have been the critic of the Attorney-General's Department for some years, you may not know that the police don't want to enter into a squabble between two people if they have a domestic relationship. They don't have to be married but if you find a common-law relationship where there's a squabble, the police keep their hands off. They say well that's an internal matter, we're not going to get involved. But even in the case of a separation that takes place between common-law spouses, under the present law, that is the law in the statute books passed by the NDP, there could at least be an order made which would carry with it a prohibition to deny one common-law spouse from entering the premises of the other common-law spouse. This bill denies them that opportunity. We know that the police won't act and we know that this bill does not make it possible for a court to make an order because they have to have been living together for a year and had a child of the union.

If the intent was to deny them the opportunity for maintenance of a spouse unless they lived together for more than a year and had a child, I could understand it. But they're not giving them the right to have an order affecting any of the other features of a common-law marriage which may need protection under an order.

Mr. Speaker, a minor matter which we could probably discuss in Law Amendments Committee is the fact that under the existing law there is a requirement that parties to a hearing shall have the right to discovery — for the moment, Mr. Speaker, I've not found that section in the present law, but I believe it's here — Yes, here it is. Section 18 of The Family Maintenance Act, S7 1977, Chapter 47 says, "That prior to a hearing the respondent has the right to file an answer to the allegation of the applicant and each of the parties have the right to obtain an examination for discovery, interrogatories and particulars."

Mr. Speaker, I think that's rather important that in a court proceeding there should be that opportunity of advance investigation of the claims, the allegations of the parties to it in order to prepare a proper case. You know, Mr. Speaker, a marital breakdown is much more serious than many of the financial breakdowns that take place outside of a marriage. Our courts are geared to take care of all kinds of pleadings and proceedings that should take place as between two parties to an action be it in tort, be it in contract, but a marital breakdown is a much more serious matter and I think that there should be the right to proper pleadings, to an examination for discovery, interrogatories and particulars, which is in the present Act. It does not exist in the new bill and the Minister the Attorney-General will be quite correct in saying, "Well, we've tried to take care of that by making a change in the" . . . I think it's the Provincial Judges Act, ". . . Provincial Judges Act." But I make this point, Mr. Speaker, that under that Act there is not the right of a spouse to have this kind of pleading and to have this kind of procedure. There is the right of the court which may

make regulations which may include these features. There is no inherent right on the parties to have it, there is the opportunity given to the court to enable it. I think there is a difference because I don't think we should rely on the courts doing things without our being prepared to say to them we think it is a right, and by taking it out of the present Act, I think that by implication, the right is removed but the opportunity is made available through the goodwill of the court.

Mr. Speaker, I am concluding because my time has about run about. I asked the Attorney-General . . . I mean, we've accused him of going well backwards, a big step backwards in the whole problem of marital law, we have accused him of bringing back into the courtroom and as between the parties, all the problems that were inherent prior to the marriage, whereas what we dealt with was only problems that occur subsequent to the breakdown. I asked the Attorney-General not to make the general statement that he did when he introduced the bill, when he talked about an obligation, the responsibility of a person for his or her own actions, as being an accepted concept, but to go into the entire question of why maintenance, what is the purpose of maintenance, and how was that affected by punishment? Is this Minister prepared to say to a couple, you must go through a sham of a continuing marriage until something happens that one or the other finds a fault and then be able to go into court based on that fault, and have the maintenance determined on the basis of that fault.

I want the Honourable Attorney-General to make clear to me at least, whether or not the opportunity that the court shall hear all the circumstances in deciding whether or not to make an order, whether in doing so, it does not give the court the obligation to consider fault as to whether or not to make the order, not only in determining amount. I want him to clarify not only his intent, but to clarify the legislation. Thank you, Mr. Speaker.

MR. SPEAKER: The Honourable Member's time is up. The Honourable Member for Logan.

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

MOTION presented and carried.

MR. SPEAKER: Bill No. 15. The Honourable Member for Kildonan.

MR.FOX: Stand, Mr. Speaker.

BILL NO. 25 — THE CATTLE PRODUCERS ASSOCIATION ACT

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

MR. A.R. (PETE) ADAM: Thank you, Mr. Speaker. Sorry the Minister of Agriculture isn't here today. I have a few harsh words to direct in his direction and I wish he would be present.

It was not my intention to speak today. I had the bill stand last week because I was waiting on information that the Minister of Agriculture did undertake to provide, information that I felt we should have before us in order to present a case and make my remarks. But the Minister has delayed this bill for at least two weeks because of his attitude. He has been a great deal less than honest with members of this Assembly as far as the rules of this House are concerned and as far as his office is concerned.

I'm sure the Minister knows the rules as well as we all do and he should have, at least, not misled the House. When he introduced his remarks on the 12th of May he undertook to provide letters relating to this bill, letters that he said were in support of Bill 25. We asked the Minister to provide copies of documents that he had on his desk which he indicated were in support of Bill 25. The Minister has not seen fit to do this. —(Interjection)— We have no copies. We have no copies. The Member for Emerson is indicating that we have one copy. We have no copies.

The Minister read in his remarks in regard to letters that he had received from the Manitoba Marketing Board.

A MEMBER: You'd better be careful about misleading the House, Pete, after that Ste. Rose Hospital article, about misleading the House.

MR. ADAM: He read from letters from United Grain Growers. He's read from letters from the Farm Bureau. He's said he has received letters from the Diploma Graduates Association and the Manitoba Beef Growers Association and that he had received a resolution and he read excerpts of that resolution.

We asked the Minister to table these letters. He said he would. He did not. We went on a grievance.

The former Minister of Agriculture went on a grievance on the 17th of May and it was taken under advisement. No letters were produced. I subsequently went on a grievance on the same matter on the 29th of May and the Minister at that time undertook to provide those letters. I even got into some difficulty on the rules when I asked the Speaker to give us some indication when we could expect the Minister to comply with the rules of this Legislature. The following day the Speaker did report and said that he hoped that the Minister would come to some agreement with me. Well, the Minister did come over here and spoke to me and he said, "Yes, I'll give you the letters. I'll give you some letters," and then he started to waffle and back off. —(Interjection)— I don't have the letters.

A MEMBER: Why don't you just tell us how you feel about the bill, never mind the . . . ?

MR. ADAM: I haven't got the letters. Where are they? Where is this Minister? Where is his honesty? He is flouting the rules of this House. He is insulting the members of this House. He undertook to provide the membership list of the Manitoba Beef Growers, in Committee of Supply in Estimates in Room 254, and the membership list of the Cow-Calf Operators, the Manitoba Cow-Calf Association. He hasn't done this. He hasn't done it.

I say to you that this Minister is acting far below the dignity of his office in the way that he deals with members of this Assembly. He has taken a position, a charade, a charade of stalling; he is stalled. He's stalling in providing these letters and I'm beginning to suspect that he doesn't have any letters. What other inference can we come to? What conclusion, what other conclusion can we come to? He says he'll provide them and he doesn't do it. So I have to assume that he doesn't have any letters.

A MEMBER: Are you supporting the bill?

A MEMBER: I think he's been less than truthful.

MR. ADAM: Mr. Speaker, it's disgraceful performance. It's a disgraceful performance and when my leader stood up to ask the Minister when he would provide these letters — Well, I see he might be going out to get them now. The Minister of Agriculture is leaving the room. Perhaps he is going to get them.

When my leader asked the same questions, when would these letters be tabled? He squirmed and didn't know how to reply. He tried to squirm out of answering and said, well, he would take it under advisement. Well, after committing himself on two occasions to provide the letters, then he was going to take it under advisement. He was going to think about it.

Mr. Speaker, that is in my opinion, a very disgraceful performance. The Minister indicates that he has unanimous support for this legislation. I'm saying to him — he's talking about figures of 80 percent — I'm saying to him that the reverse, the reverse is true, that he has approximately 20 percent, 20 percent. We know that already. We know that there is opposition from even the groups that he claims to have received letters from. I don't need these letters any more. He can keep them. As far as I'm concerned, he can do what he likes with them. We don't need them. We know that the opposition is out there. We know that there is at least 80 percent of the people, the producers of this province, that are opposed to that bill; we know it. We know it.

We know that the independent livestock producers are opposed to it. We know that the NFU is opposed to it. We know that the grass roots of the Cow-Calf Association, the directors, director I have three directors and I advise the Member for Emerson not to shake his head because I understand, I have been told by some people back home that there's a petition out in the Clerk's office. —(Interjection)— I've been informed by people out in the constituency that there is at the present time a petition in the Clerk's office in opposition to Bill 25, with three directors of the Cow-Calf Association on it. So I ask the Minister, where is his support from the Cow-Calf Association? It is non-existent.

We know that the Canadian Agriculture Movement is opposed to that bill. —(Interjection)— Oh. I did phone Mr. Melnyk on the 19th of the 4th month. Mr. Melnyk wasn't in. He returned my call — and I guess I spoke to Mrs. Melnyk. She said, "Well, I'll have Mike call you back." He called back and I couldn't get hold of the call and he left a message: "Re checkoff," and I have the notation made by the secretary.

A MEMBER: You didn't talk with him?

MR. ADAM: "Re checkoff. Not in favour because most farmers are not in favour." This is a message I received from Mike Melnyk on the 19th of the fourth month of 1978. So there is unanimous opposition to Bill 25, we know that. The Minister doesn't have to try and convince us. The fact

that he will not have a referendum on it is proof enough.

And the second fact is, that if he is correct when he says that he has 80 to 86 percent in support of this bill, he doesn't need a bill, he doesn't need a bill, he's got it made. If there is 86 percent of the people of this province, the producers, in support of Bill 25, he doesn't need the bill. They can get their association going whenever they want. They've got the majority of the people behind them.

The fact is, they don't have it, they don't have it. I've been told by a Director of the Cow-Calf Association that two or three of them went down to their meeting and pleaded with the president, Mr. Peter Friesen, not to introduce this bill, to have a referendum on it. They said, "No, we can't do that, because if we have a referendum, it's going to be defeated." So now we know, now we know where the Minister stands. Now we know, now we know. And the little jack rabbit from Emerson there, jumping around and warbling from his seat without willing to get into the debate, you know, better find out where he stands, because one of these days he's going to be out on his ear.

Mr. Speaker, I think that Frances Russell couldn't have said it any better in her article here — I haven't got the date but I will just read a few excerpts from her statement. I think she had a terrific article on what this bill means. She went on to say, you know, it's funny, when the Government of Alberta buys an airline, oh, that's fine, that's free enterprise, but if a New Democratic Government had done that, that would have been a horror. That's the difference, that's the difference.

She says in her article, "The title sounds innocuous, but the legislation on close examination is truly an odious statute.

The powers those free spirited cattlemen wouldn't want the state to have, are given to a private organization to wield over the entire industry with no right of appeal outside of the courts, and with no monitoring from government. Why aren't the cattlemen in full cry? It is because the vocal ones drew up the bill. It is because it has been brought in by a Conservative Government, and thus no matter how compulsory, it's quite free." That is hitting the nail right on the head, Mr. Speaker. That was terrific. —(Interjection)—

He's proud of it. Well, I'm glad the Member for Emerson has said that, because now I'm going to explain to you what I think this bill does. It removes freedom, it destroys the democratic process, that's what it does. Once you do that for one group, you've delegated the democratic process out of the public domain, you've lost it for that particular group. You do that to another group, finally you have no longer any democratic process left. You have delegated all the democratic process away; many countries have lost their freedom through this very kind of attitude, this kind of legislation. Countries have lost their freedom. Franco would be proud of this bill; he'd be proud of this ill. He'd be proud of this, because you delegate all your freedoms away, and then you buckle on a belt with a holster; so you pay patronage to all these groups and they pay homage to you, and if they don't, then you take your pistol out, and bring them back in line. That's the way it happens. You know, there's only one other bill like that in Manitoba, and that is the Commodity Exchange Bill, which is an odious bill as well.

I say to you, Sir, that it is a very very dangerous precedent to go into this type of legislation. And the sad part of it is, that it not only allows control over all the people who are involved in that industry, the primary producers of livestock, but it also extends that power to many other groups, who are not directly involved with production of livestock. That is the sad part of it. —(Interjection)— Well, it can involve every retail storekeeper in Manitoba — it's right in the bill. It says that any retailer of beef will be subject to this legislation, and I'm sure that the small merchants throughout this province do not know that this bill affects them in that way.

I see the Member for Emerson looking at the bill. I'll bet you that this is the first time he's ever had a look at it, because it was obvious when the Minister of Agriculture made his presentation and when the Member for St. Johns and Inkster replied to that bill on that very same day, it was amazing to see the looks on the face of the members in the government. It was obvious that this bill hadn't been caucused, and I believe that even the Member for Lakeside had said: Oh, well, yes, he trusted the Minister of Agriculture, his buddy, he's sure he wouldn't bring anything like that in, and we will amend it if necessary.

I am saying to you that for years now the small merchants have been burdened with paper work of all descriptions, and now you're going to saddle them with another thing to look after. And I will even — well, I don't want to take the time — but here I have the report, the mandate from the Canadian Federation of Independent Business, and they're highly critical of all the paper work. It's costing them between \$5,000 and \$8,000 a year to look after this paper work alone. And the Minister of Agriculture is going to bury them again with another load of paper work to keep track of all this meat that they are going to sell.

I'm saying to you that this is a very very dangerous bill. It should not be brought in, and the Minister would be well advised to let it die on the Order Paper, or hold it over for six months, get the people's opinion on it. I know you're afraid of that, but this is a democratic country, and

if they don't want it, you shouldn't bring it in. That's all I'm saying.

Now, if you're going to bring it in, and I think you are determined to do that, because you made an election promise and no matter how many people it's going to hurt, you're going to bring it in. You're going to bring it in. You made an election promise. Well, if you do that, then I suggest to you that this bill has to be amended — it has to be amended, almost in its entirety.

MR. DRIEDGER No way.

MR. ADAM: Well, the Member for Emerson is now saying, "No way." I think the Minister of Agriculture is taking his directions from the Member for Emerson. There should be a similar bill to what is brought in in Saskatchewan. We should profit by their errors. They brought in a bill almost identical to the one that we have here before us; they have run into a great deal of problems with it there, and it was necessary for them to bring in amendments to it.

I want to read some of the paragraphs of the Minister of Agriculture, Mr. Kaeding, when he introduced the amendments, "The first concern was that although the Act was called a voluntary checkoff, there were no provisions whereby a producer could indicate at the time of sale whether he wished to participate."

You know, it's called a voluntary checkoff, but it's not, it's an automatic checkoff. And it's a voluntary refund, dependent on how the Board feels, if they continue to feel in a way that they would want to refund. They can change the regulations, this is what I'm trying to tell you. —(Interjection)— Mr. Kaeding, the Minister of Agriculture. —(Interjection)— Well, he's the Minister of Agriculture, just as responsible as this one — far more responsible, far more responsible than this Minister — he at least has the integrity to bring in the amendments that were required.\$

While the Act did provide a mechanism for return of moneys collected, it still required a compulsory collection at the time of sale. That's what we've been trying to tell you, that this bill is compulsory. Compulsory collection, that's what it is. The Act before you will provide means of opting out on the manifest which accompanies the animals to market. We're going to ask for these amendments when this bill goes to Committee, if it goes that far, if the Minister doesn't see the light and pull back on it.

Now, the biggest problem that they had was not necessarily the opting out. The biggest problem that the producers had in Saskatchewan was the fact that most of the moneys that were paid in went to federal organizations. That was the big beef in Saskatchewan that they found it necessary to bring in an amendment there. The major revision of this section is the removal of the subsection which permits money from this fund to be used for the support of a national organization. That is where they got their biggest complaint from, all this money being collected and going to some organization in Ottawa. Since 1973 at least 30 percent or more of the moneys received in the fund have been going to the fund of the CCA. Mr. Speaker, it is an understatement to say that this existing provision has brought the most violent of objections from many livestock producers in this province.

So there you have it. Now there's some more. However, channelling almost one-third of the funds received from this fund into the support of the Canadian Cattlemen's Association has angered many producers who did not agree with the stand taken by the CCA, and objected violently to having their moneys used for that purpose. At meeting after meeting across this province, Mr. Speaker, producers have attacked the use of this fund for this purpose. They are angered because the money from a fund to which they contribute is used to fund a national agency whose policies respecting livestock marketing are diametrically opposed to theirs. And further on he says, "What is not justifiable is that large amounts of money, provided by all producers, are used to support that point of view, when so many are opposed to it."

Now, I'm saying to the Minister, let's profit by their errors. They've had this bill for a number of years, since 1973, let's profit from their errors and bring in a bill that will be of some value to the producers of this province, make it more democratic, do not remove the freedom from the people. We know there is opposition. We know that. You know, the Member for Swan River said, "Oh, I haven't heard — you know, in my area, there's no opposition. "

You know, today I got a phone call from Swan River. They said they had a meeting there — the Member for Swan River was there — they called a meeting to discuss Bill 25. He said there was no actual vote taken, but there was a petition circulated and 70 percent of the people at the meeting voted against it. 70 percent. The Member for Swan River says, "Oh, I haven't seen any opposition from Swan River, and those that oppose it are fly-by-night operators. They're out of the cattle business." Baloney. Baloney. The Minister of Agriculture sends Mr. Church and his colleague, the Member for Virden, down to Elkhorn, at a meeting there, with 43 people in attendance; it was unanimously opposed. You know, where is the support that the Minister is talking about? Why is he —(Interjection)— he wants to interrupt my train of thought .

MR. SPEAKER: Order please. The Honourable Minister of Agriculture.

MR. DOWNEY: Mr. Speaker, on a point of order, I wonder if the member would table the document that he's reading from over there, that he was reading from.

MR. ADAM: Mr. Speaker, this is not a letter. It is a speech on the checkoff in Saskatchewan. I will be very glad to table it. It's not a letter, it's not signed, it's notes that the Minister used in his comments in the Saskatchewan Legislature, but if the Minister will table the letters that he has refused to table in this House I will gladly table this.

MR. SPEAKER: Order please. May I suggest to the honourable member that threats of that nature are very unparliamentary and I would have to ask him to reconsider his remarks in that respect.

MR. ADAM: Mr. Speaker, I don't know what I've said to offend you or any members of this House. I said I would gladly table this document if the Minister will table the letters that he has undertaken to table and which you advised him to do.

MR. SPEAKER: Order please. The honourable member cannot put riders on requests of that nature. He has been asked to table the document, he has said that he will table the document, I hope the member will do that.

MR. ADAM: Mr. Speaker, I will table the document — there's nothing in the document that bothers me.

MR. SPEAKER: Order please. On a point of order, the Honourable Member for Lac du Bonnet.

MR. USKIW: Mr. Speaker, traditionally whenever a member uses documentation in the delivery of his comments or speech and is asked to table them, the tabling is done to facilitate the debate. So far the debate has not been facilitated because of the absence of the documents which were promised to be tabled but have not yet been tabled and it's almost a month now, Mr. Speaker. It's more than a month.

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

MR. ADAM: Thank you, Mr. Speaker. I hope you don't detract from my time because of the interruption by the Minister of Agriculture. Mr. Speaker, we think that this bill requires almost an entire amendment of the bill if it's going to be democratic and not remove the freedoms of the people of this province. There are very very few bills, if any, except the one that I mentioned, the Commodity Exchange Bill, that is similar in nature to this.

Now, the Saskatchewan bill is far more democratic than what is proposed here, because what they have done there is they have invited the groups, the different producer groups, to be on the board and to administer this fund. In Saskatchewan they have groups from the Saskatchewan Stock Growers Association and from the Saskatchewan Federation of Agriculture and from — I think it's the Dairy Association — one from the Dairy Association, one from the SLA, one from the Western Cow-Calf Association and two others, of which one will be a consumer representative on that board. And I believe that one will be representing the Minister. Now, this is a much more democratic bill than what is proposed here before us, Mr. Speaker.

I certainly don't intend to support this bill because I know that I should take that stand because the opposition is so unanimous in my constituency, particularly from members of the Cow-Calf Association. I have, just over the weekend, spoken to some people there. I said, "Well now, are you fellows in support of this bill?" He said, "No, we are very much opposed as is everybody in this area but we're not going to do anything to stop it from passing." I said, "Why not?" "Because, let the Conservatives bury themselves. It'll be easier to get rid of them. Let them pass this kind of legislation, that will help us to get them out of office in the next election." So that is the attitude that's coming forth, Mr. Speaker.

As I mentioned, I've been informed that there's a petition there that's supposed to have around 50 names from mainly cow-calf producer members and I understand that there's at least three signatures from directors of the Cow-Calf Association. Now, that petition is supposed to be in the Clerk's office and it's supposed to be presented to the committee on Agriculture when this bill goes to committee. So I want to say that if the Minister has the support that he claims he has, he doesn't need this bill. He doesn't need it. If there's 80 percent of the people behind an idea they have

no problems finding the money that they require to finance their organization.

But you see, the problem that happened in Saskatchewan is because — and I'll give you some figures that I have in regard to the Alberta situation which is appalling — their budget for this year, the Alberta Cattle Commission there provides a budget for market development, that is to find a market for livestock, they spent \$8,574 in 1977. In 1976, they spent \$567 for market development, that is to develop markets to sell beef. They spent \$8,574 for market development and \$263,000 went to the Canadian Cattlemen's Association. I say to you that that is a disgrace, an utter disgrace. And that is the big objection of the producers in Saskatchewan.

MR. SPEAKER: Order please. The honourable member has three minutes left.

MR. ADAM: Three minutes? Thank you, Mr. Speaker. I have also the budget for 1978. The budget for 1978 is similar. Market development has been lowered from \$8,500 to \$6,500 for 1978, \$263,000 for the Cattlemen's Association. So I say to you, Mr. Speaker, you are making an error in bringing this bill in and you'll find out in 1981.

MR. SPEAKER: The Honourable Minister of Agriculture.

MR. DOWNEY: Yes, Mr. Speaker. On Bill No. 25, I would like to close debate on it.

MR. SPEAKER: Order please. Before the honourable member can close debate we have the Member for Brandon East wishing to speak.

MR. EVANS: I would like to move, seconded by the Member for St. Vital, that debate be adjourned, Mr. Speaker.

MOTION presented and carried.

MR. SPEAKER: Bill No. 26, The Statute Law Amendment (Taxation) Act (1978). (Stand). Bill No. 29, The Commodity Futures Act. (Stand). Bill No. 30, an Act to amend The Civil Service Superannuation Act. (Stand). Bill No. 31, an Act to amend The Personal Property Security Act. (Stand).

BILL NO. 36 — AN ACT TO AMEND THE HIGHWAY TRAFFIC ACT (3)

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

MR. ADAM: Thank you very much, Mr. Speaker. Bill 36, we have perused this bill. The intent of Bill 36, introduced by the Minister of Highways, is simply a conversion of imperial units to metric units as far as weights and mileage is concerned for highway traffic and weights and anything affecting the old imperial units.

There are many, many amendments, of course, because the conversion is quite extensive. I think the two major changes, there are some to round out the kilometres and the measures in centimetres and metres have been rounded out so that it was impossible to have the same distances and weights under the metric units as compared to the imperial units. The two major changes, I believe would be in the T licences. That has been changed to 30 kilometres, which is an increase of approximately 3 ½ miles over the old system, which would allow the T licences to travel 18 ½ miles rather than 15. And for the city T licences, the previous maximum mileage they could travel was 10 miles, under the metric unit system it will be 20 kilometres, which is 2 ½ miles greater than under the previous imperial system, and that would extend, if we want to make a comparison, it would extend it from 10 miles to 12 ½ miles.

On the braking distances, there have been a few extensions there. They felt it was necessary to extend it for braking purposes. I understand that similar legislation, identical I think as this, has been introduced in Saskatchewan and in Alberta. British Columbia is a bit different. They have different problems there, they haven't gone for this kind of a system. Ontario, on the other hand, has another very complicated formula which they call the bridge system. Don't ask me what it is all about, I would have to see their bill to fully understand it, their legislation, but we have no objections to this bill going to committee.

QUESTION put, MOTION carried.

MR. SPEAKER: Bill No. 44, an Act to amend The Corporations Act.
The Honourable Leader of the Opposition.

MR. SCHREYER: Mr. Speaker, we are still seeking further information with respect to 44. I would ask that it be stood over to the next day.

MR. SPEAKER: The Honourable Member for Radisson. Bill No. 14.

MR. KOVNATS: Mr. Speaker, I move, seconded by the Honourable Minister of Finance that you, Sir, do now leave the Chair and the House resolve itself into a Committee of the Whole to consider and report on Bill 14.

MOTION presented and carried and the House resolved itself into a Committee of the Whole House with the Honourable Member for Radisson in the Chair.

COMMITTEE OF THE WHOLE HOUSE

BILL NO. 14 — AN ACT TO AMEND THE INCOME TAX ACT (MANITOBA)

MR. CHAIRMAN, Mr. Abe Kovnats: The matter before the House is Bill No. 14. Shall we proceed Section 4(2.1)—pass; Section 4(2.2) — ed?/ The Honourable Leader of the Opposition.

MR. SCHREYER: I'd like to ask the Minister of Finance — perhaps this would expedite matters — to indicate in his own words what, if anything, has been modified since the second reading stage. —(Interjection)— Well, changes from the printed version.

MR. CHAIRMAN: The Honourable Minister.

MR. CRAIK: Mr. Chairman, there is nothing changed with the exception — it won't affect the bill, but on the second reading stage I indicated that we were re-examining the discounters legislation, controlling discounting and it doesn't affect the bill. But I did discuss with the Member for Seven Oaks the possibility of introducing changes in that legislation, and I mentioned at committee stage we may look at it but there is nothing to be presented at this point.

MR. CHAIRMAN: 4(2.2)—pass; Section 1—pass; Section 2—pass — the Honourable Leader of the OVPPOSITION.

MR. SCHREYER: Mr. Chairman, I wonder if the Minister could confirm whether in the recalculation of the numbers 51.8 for provincial purposes and 2.2 for municipal purposes, whether that percentage, if applied, let us say on last year's basis here in Manitoba, would yield exactly the same amount to the municipalities.

In other words, discounting growth or changes of any kind to the base, using the same base this year, and once the bill goes into effect, compared to the previous year will there be any change whatsoever in the yield to local government?

MR. CRAIK: The yield to the municipalities on the corporation tax part is going to change somewhat this year but only because it's always a year behind. The total yield to the province in corporation income tax fell somewhat last year and, as a result, the contribution to municipalities will go down this year but the corporation tax is apparently on the way back up, which would mean that the yield to the municipalities would go back up again next year.

MR. SCHREYER: Mr. Chairman, my honourable friend is referring to the change which results from a change in the economy in the province and what it yields, but if one were to assume, just for purposes of discussion, a perfect constancy as between one year and the previous, then applying the new percentage rates to the calculations would it cause a difference in the yield to local government?

MR. CRAIK: No, Mr. Chairman, there is no planned structural change.

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

MR. CHERNIACK: Mr. Chairman, I did not have an opportunity to ask the Minister a question during his Estimates yesterday, and perhaps he answered it after I left. But I would like clarification from the Minister of the explanation in the Estimates Book on the revenue side, which indicate the municipal portion of payments — unfortunately, I haven't found my Estimates Book yet — the portion

which goes to municipalities, there doesn't seem to be a direct percentage of the payment of the entire tax collected. I will try and see it while the Minister may be able to answer my question without my finding it. Now I have found it, Mr. Chairman.

In the Estimates there is an indication of the municipal share last year to this year and there is an indication of a drop in revenue for income tax that is payable to the municipality. Is that a corresponding drop that is recorded by this section, and as would be indicated, the total income of the province on income tax?

MR. CRAIK: Mr. Chairman, I don't know if the Member for St. Johns was at the Committee when we did talk about it yesterday. It was dealt with at that time and the indications were there. It is primarily due to the drop in the corporation income tax. Whether in its entirety, it's that particular aspect, I don't know. But there hasn't been any change in the formula. It's just that it is always a year behind, as I mentioned just before he came in. The contributions or advances to the municipalities this year are based on the tax collected last year. So it is 12 months behind in calculation. The proportionality, as I say, hasn't changed. It's just that the amount is based on the figures and incomes from the previous year. As a result of that, that's why it's down this year.

MR. CHERNIACK: Mr. Chairman, I thank the Honourable Minister and I think I understand what he is saying. The only thing then I have to make sure about is that the amount shown in the Estimates is the amount that is payable to the municipality, based on last year's revenue, and in the coming year I assume that there will be an adjustment to adjust what the amount would be. In other words, if more money was collected in this year than was paid to the municipality in relation to this year's revenue, then it will be made up. Or is the Minister saying that it runs a year late? That, then, is his interpretation of the way it is in accordance with the present law and not affected by the section before us.

Let me just put it this way, Mr. Chairman. Unfortunately, if we're going on at 2:30, as I assume we would, I am committed not to be here. So let me just pose this question: The Honourable Legislative Assistant to the Minister — that is the Member for St. James — made a big do to claim that there is a tremendous reduction — I see he is just entering the Chamber or he is coming to his seat — there was a big reduction in taxes payable by people in lower income brackets, as a result of the government's decision to reduce the rate.

I want to make this clear, Mr. Chairman. It will just take me the minute left to do so.

The Minister's Legislative Assistant, if not the Minister as well, is taking credit in announcing to the public a reduction in income tax, is taking credit for indexation as if it were a decision of the Conservative Government. And when they said there is a 2 percent reduction, which we are dealing with right at this time, they implied about a 24 percent reduction in taxation, as if it were a result of this section.

Mr. Chairman, clearly, what they are doing is taking indexation, which is the largest part which is imposed by the Federal Government and is a reduction in taxes, and they are taking it as being related to this. As I understand the figures — and the Member for St. James gave them to me — it indicates that a person earning \$10,000 gross, married and two dependent children, is benefitting \$13.00 as a result of this section. He is getting a benefit of \$57.00 regardless of this law, this section or anything else, but only as a result of indexation, and therefore the Conservative Party, again, is trying to take credit for what it has not done.

The important point is that the mere \$13.00 to the \$10,000 a year person adds up to hundreds of dollars for a person in the higher brackets, and that should be noted. The change is proportional and that's all it is.

MR. CRAIK: Mr. Chairman, by leave, if I might advise the Leader of the Opposition in answer to an earlier question about whether there are any changes, there is a small change, apparently, in Section 13, which we will come to. The Legislative Counsel is busy at the present time preparing it, and will be here after lunch.

MR. CHAIRMAN: The hour being 12:30, I am now leaving the Chair to return at 2:30 p.m.